

HEARING OFFICER REPORT and TRANSCRIPT OF COMMENTS

American Petroleum Environmental Services, Inc.
Air Quality Permit No.: 26-3021-ST-01 and Solid Waste Permit
No. 1591



State of Oregon
Department of
Environmental
Quality

Northwest Region
Air Quality
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restoring, maintaining
and enhancing the
quality of Oregon's air,
land and water.

Background

American Petroleum submitted a renewal application for their air contaminant discharge permit on Sept. 30, 2013. American Petroleum also submitted a Complex Technical Modification for their ACDP on Jan. 30, 2017. American Petroleum is also applying for a new Solid Waste permit. This hearing is addressing all 3 permit applications. American Petroleum is located at 11535 N Force Avenue in Portland, OR. A Standard permit/complex modification was drafted along with a Solid Waste and proposed for issuance.

Public Notice Period

Pursuant to OAR 340-216-0066(3)(a), issuance of Standard Air Contaminant Discharge Permits require Category III public notice in accordance with OAR 340-209-0030(3)(c). This rule requires DEQ to provide notice of the proposed permit actions and a minimum of 35 days for interested persons to submit written comments. An information meeting was held at the Red Lion on the River on Tuesday March 7, 2017 to hear questions and concerns from citizens. The public notice process began on Friday May 19, 2017, due to public interest; DEQ scheduled a hearing on Wednesday June 21, 2017. Public comments were provided during the hearing, with emailed and written comments received through Monday July 3, 2017 at 5:00 p.m.

Public Hearing

Location: Red Lion on the River
909 N Hayden Island Drive
Portland OR 97217

Date: Wednesday June 21, 2017

Time Convened 6:15 p.m. Closed 7:00 pm.

DEQ personal remained on site until 9:00 p.m. to talk informally about the permitting process or if additional thoughts or questions came up.

Presiding Officer: Rebecca Wells-Albers, Project Manager/Brownfields Coordinator DEQ NWR

The hearing commenced at 6:15 pm.

At 6:27 pm. before taking comments, the presiding officer summarized procedures for the hearing including notification that DEQ was recording the hearing. The presiding officer asked that anyone wanting to present verbal comments to complete, sign and submit a registration form. Fourteen citizens signed up to give comments.

The presiding officer collected the public hearing attendance sheets at the end of the hearing. Information includes attendee's name and whether they

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wished to give oral comment. The electronic recording of the hearing transcribed and is held in the permanent permit file.

35 citizens attended the hearing in addition to DEQ personnel and American Petroleum Environmental Services, Inc. company representatives; comments received and DEQ's response are below. 16 people provided verbal comments. The transcript of the verbal comments is attached to this memo.

Summary

1. Odor indicates more than nuisance, indicates health issues associated with breathing. Any expansion at the plant needs to take into account the current body burden and current toxins in the air and cumulative impacts. Companies should not be operating or growing without taking cumulative impacts into account. Health should be the priority.
2. DEQ is using intimidation factor to not get people to talk and wearing down citizens. The company has operated and violated the current permit. Why will a new permit make a difference? How will they hold up the standards of the permit? How does DEQ sleep at night?
3. The area is already polluted. There are numerous tank farms – do they vent to the air? Fumes can cause cancer. Who pays? The issue is not just one facility but the cumulative effects. When the permit is based on averages, that hides the peak emissions. Peak emissions affect health.
4. Nothing on operator training to make sure people know how to run the equipment. Still concerned about testing. Who is liable for illnesses? Will APES be liable for people's conditions?
5. Feel beat down by the process from doing this for several months and years. With Cleaner Air Oregon not in effect until 2018, we are not going to see improvements for several years. Doesn't want to shut company down, but wants company to understand health impacts to the community and be responsive. DEQ's job is to permit industry and also protect public health. We need to know what is being emitted. Self-reporting and periodic testing are a concern. APES needs to be open to testing.
6. My family has run chemical businesses for 40 years. APES should not get a break. Until APES complies, capacity should be diminished by 70% and helped with the financing to get their scrubbers on. DEQ has known about this for a long time. Shut their capacity by 80% help them with financing. Health of OR residents is paramount. DEQ needs to exceed Swiss standards by 10%.
7. Do public hearings really help? Have they made any difference? Will we get 24 hour stack testing?
8. I see a lot of what APES is supposed to do but nothing about what DEQ does with self-reporting. What is DEQ going to do? How will DEQ enforce regulations? APES has operated without pollution controls since 2006 and DEQ discovered this in 2011. The AQ permit expired in 2013 but APES has been allowed to use the expired permit. APES is supposedly doing a good thing but manufacturing a toxic substance. DEQ should stop APES until we know what's going on. DEQ is not protecting the public or APES employees. DEQ should get act together in rules and abide by the rules.
9. APES and ORRCO have not earned our trust. Without any enforcement, how will we trust them? When will 24 hour stack monitoring be considered?
10. Doesn't think APES will comply with self-monitoring. DEQ should monitor often.



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11. If APES needs help with funding, provide it. 3000 noses provide scientific study and evidence that there is a problem. APES should capture and save every delivery with date and time. That becomes a public record. If people smell the odors, they should be able to isolate and determine what is being burned. Records are public. If the public notices an odor, require testing. DEQ needs to change permit requirements, they are not adequate.
12. The evasion of a Title V permit and self-monitoring is a big issue. DEQ has no ability or interest in protecting the public. Portland Metro should do the monitoring. For the solid waste permit, PCBs stored in volume are not protected by containment berms. We are one accident away from creating a superfund site.
13. Wants consistent, reliable, repeated, recorded emissions testing. Kids at the school are exposed. Concerned that no transparency with this permitting process. Lack of response from DEQ.
14. User should pay. Why don't we have 5% tax on oil changes like the bottle bill to make sure stuff gets recycled and subsidize equipment?
15. We all have to live and work here. Need to be solution-based and a solution will not happen overnight. DEQ's track record is not good. It is wrong that APES has been able to work on an expired permit. We don't know what is in the air or how much is in the air. APES could be Title V based on self-reporting. Not a good partnership with the community. Would like DEQ to be more solutions – based. Do your job and deny the permit until we can verify the amount and nature of what's being emitted. Have not received responses to questions sent to the director or the NWR administrator from them. DEQ's manager responded.
16. Questions to APES-what do you have for PCBs? DEQ has to take responsibility for protecting public from hazardous waste. Should we be doing more?

Accessibility

Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696; or email deqinfo@deq.state.or.us.



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American Petroleum Environmental Services
DEQ Public Hearing
Wednesday, June 21st, 6:00-8:30 pm
Transcription

Rebecca Wells Albers: I'm Rebecca Wells Albers. Today is June 21st, 2017. It is 6:19 pm. I am starting the public hearing to receive verbal comments on the draft air quality and solid waste permits for American Petroleum Environmental Services facility. The first person to submit comments is Rochelle B. Rochelle, please come forward.

Richelle Beck: I left my written comments at home, so I'll email them. Hello, I'm Rochelle Beck. Thanks for letting us come here and make comments today. I am a local resident. I have had trouble with odor in the past, and health issues. I know it's hard to pinpoint where these issues might be coming from. We are all heavily burdened. I talk a lot with people about the body burden, and that's what I'm here again to talk about today. I think between our home, personal care products, cleaning products, everything we are using in our homes, our body is heavily burdened, and I know that people are aware of this. I know the government is aware of it, I know the media is aware of it, but nobody's talking about it, so it's been left up to us people to talk about it. My problem is that it doesn't seem like anybody is really paying much attention to the cumulative effects of just a little bit more toxin in our air and in our bodies. So I don't know, you know, how far I'm going to get with talking to you guys about this. But I talk about it wherever I can, whenever I can, because it doesn't seem to be getting anywhere. You said in previous meetings, I understand, or documentation, the odor that's coming from the APES plant, and new since odor. But it is much more than that, because when people smell it, they feel ill. Maybe when our bodies were pure and clean, and we weren't being exposed to toxins in our homes to the level we are now, maybe it wasn't as big of a deal, but now it is a big deal, because our bodies are very burdened. So I just want to really encourage you guys, as you're looking to expand – and any kind of expansion, any kind of permit approval – that you consider the cumulative effects of a burdened body. Just a little bit more toxins – I love that they're planning on putting some oxidizers and filters on their stacks, that's really great, but it's, to me it's not enough. I don't think these companies should be growing; I don't even think they should be operating. I understand they're already under operation, there's nothing I can do about that, those are jobs, I get it, yadda yadda, but it doesn't seem like our health is the priority, and I really believe that it should be. So that is my comment today, to please consider the cumulative effects on a burdened body of the citizens of this island, and the residents around this area that are affected by this. Thank you.

Cheryl Baker: Thank you. Cheryl Baker, and I live on Hayden Island at Jantzen Beach moorage. I think this intimidation tactic here to (chuckle) get people to not want to come up and talk. I just have a short comment because I've made a lot of comments at previous meetings, and online, and by phone, and I think you're just trying to wear us down. And obviously by the turnout tonight, that's what you've done. So my question -- a couple, I guess, a couple of questions. This company has operated without a current permit, it has violated the permit that they had. And I'd like to know your explanation for why a new permit is going to make a difference. Why are they going to have to hold up the standards of this new permit, when that hasn't happened in the past? And that's basically it. Oh, and how do you sleep at night?

Don Steinke: Hello, I'm Don Steinke from Vancouver, Washington. You guys need to know this is not just about this area. We have a lot of people that breathe over there, too. This area is already polluted too much. In Vancouver, we have Newstar receiving pipeline jet fuel, gasoline, and diesel. I just left my friend in the hospital with terminal bladder cancer. He worked in the hydrocarbon industry as an engineer all his life. He told me, this afternoon, that when the tanks are being filled at Newstar in Vancouver and probably imported by the Willamette River, they vent straight to the air. And so my question is -- if not particularly about this case, but my question was, do the tank farms along the river vent straight to the air? Now Newstar in Vancouver wants to expand, but in Vancouver, Tesoro wants to build the largest kind of rail facility in North America, and I'm on that campaign to stop it. As far as I know, Tesoro has no plans to combust the fumes being pushed out of the tanks. It's worthwhile to remind ourselves that the EPA website says that the fumes in the air from these tanks, and from hydrocarbons in general, cause birth defects. Who will pay for all the special ed? These fumes cause cancer. When our business model causes people to die unnecessarily, we've crossed a moral line. The Columbia waterfront project, right across the river from here, immediately right across it at the other end of the bridge, is preeminent to the City of Vancouver. It just started up. They spent ninety million dollars on it already, and that project is a one and a half billion dollar project that will provide thousands of jobs. But that project could go bankrupt if it stinks. It's not just about one facility; it's about the cumulative effects. You have everything along between Swan Island and here polluting this part of the world. And we have, right across the rail

bridge, we have the rail yard for Vancouver, and the Port of Vancouver over there, and it's pretty clean, but this planet may get dirtier. So when you base your permits on averages, you tend to hide the peak emissions, and it's the peak emissions that make people sit up and take notice. But we need to protect all of our health, and our economy. It affects our economy, too. Thank you.

John G: John G____, from Kenton. I have a few questions, reading the permit application, or proposal for the first time, I have a lot of questions for that. But I didn't see anything about operator training. The more sophisticated this equipment becomes, the test equipment becomes, the more important it is that people understand what they're doing, what they're seeing, how do they process the information, the data they're getting, so they can respond correctly? I'm still concerned about the testing. I see that there's some testing in here, but I want to read the whole thing. And then the last thing we – when I was here in March, I think it was, there were a lot of people talking about their – how they were ill, their family was ill, their friends were ill, students in the school were ill. Who is going to end up being liable for the illnesses? You know, if you go into a bar and you drink too much, and the bartender keeps giving you booze, and you get drunk and you drive, and you have a wreck, the bartender is liable for your condition. Will they be liable for the conditions that the people suffer, or have suffered? Until I finish reading this, I don't think I have very many more comments. Thank you.

Walt D: I pass

Mark T: Mark Thilman?, resident of the Island. I live at Jantzen Bay Beach Moorage. And I kind of agree with Cheryl, I feel a little beat down by the process. We've been doing this for several months, and actually some of us for years. And after last month's meeting, it became kind of clear, after listening to Richard Whitman speak, that Cleaner Air Oregon may not -- won't be in effect in 2018, and may not even be, depending on whether or not

the legislature puts some money towards it, it may not happen at all. And that happened about the next day, there was a big article that all the Bullseye equipment, all the testing equipment from DEQ was heading to The Dalles. So you put that timeline, that effort going in, and the fact that yeah, it kind of speaks to us that we're not going to see anything for several years. And to this last gentleman's comments, by that time, maybe ___ schoolkids shows noticeable effects, or one of the people in the mobile home – the elderly in the mobile home – or somebody like that is going to die, and we can do an autopsy, and we'll find out what's in the air. But until then, we're kind of held hostage. And yeah, I've made a lot of comments, I've been real verbal in this process, and I – I'm kind of at the point where I really – I've talked with one of the owners last week, heading – or last month, heading out. And I, for one, am not somebody who wants to shut them down. I want them to play fair, and I want them to understand the health problems and their responsibility to our community. And I also – I just think that DEQ, you know, you guys are in a -- you're -- wonderful job, you're supposed to be promoting business, you're permitting business and industry. That's your job. Your other job is to protect and make sure those businesses that you permit are not destroying the environment, or the health of the people that live nearby, and I think the line's been blurred. I've spent a lot of time in state government, and I know the challenges. But I also don't think that's an excuse. And again, I read the draft, and I see the permits, I see the monitoring. I still -- I will not be comfortable until I know the amount and the nature of what's being emitted from APES. And I haven't ever -- self-reporting doesn't make it for me, and once in awhile, testing doesn't make it for me under special conditions. So that is my main concern, I would feel much better if you guys could tell me that, and prove to us that at any time, be open to having it tested, and prove that we're in the limits, and it's safe to breathe. And yeah, I'm seeing I have 30 seconds, and I still have more to say, so I'll probably be back. But thanks.

Todd V: Well I'm sorry I didn't do the first part of this meeting, or listen to it, but my family runs businesses that are chemical-related in Portland for 40 years, and I just don't think these guys ought to be given a break. They've been doing it for over a decade, and I don't think they should be crushed out of business, but I think that they should be, until they

comply, they ought to have their capacity diminished by like 75%, 85%. And then help with financing to get their scrubbers on. Now, I don't really believe in subsidies to business, but we do need people to clean our oil from the cars. But I think everybody's -- you know, the problem with the DEQ is that they've known about this for a long time, and really, the two parties, the DEQ and these guys can't -- their probation is over, and now we need to treat 'em pretty hard. And so I say shut capacity by at least 80%, help them with financing if we've got that kind of thing in Oregon. I think the health of Oregon residents is paramount. And as I said in one of the original meetings, we need to find out -- and I'm talking to DEQ folks -- the Swiss have the highest standards in the world. I sell Swiss robotic equipment that does this stuff, and we need to exceed the Swiss standards by at least 10%. And that's all I have to say, put 'em partially out of business. Thank you.

Joy H: Good evening. I'm a resident at Jantzen Beach mooring, and I have several questions. One is to the DEQ. Do public hearings really help? Do they make any difference at all? Can you give me an example -- and I've only been to three of them, to three meetings. But I know people have been to many more, people have made comments online. Can you give me one example of when someone's comment from the public has been mentioned in a memo, maybe in an email, maybe in a conversation when you're having coffee? Has anyone referenced back anything that's said here at all? Or is this just public relations BS? I know that at the last meeting, one question was asked at least seven times, and there was absolutely no answer to it. There was a lot of twisting and turning, and dancing around it, pivoting. And I'll tell you, Kellyanne Conway could have learned a lot from what -- the way we were answered. Tonight I received this, public hearing about proposed meeting. And it says here, "What happens after the meeting? DEQ considers and responds to all comments received and may modify the proposed permit, based on comments." So for the five times I heard the question asked two meetings ago, and the seven times I heard it asked at the last meeting, can you tell me, will we get 24 hour stack testing? And that's my comment.

Martin S: My name is Martin Slopekis. I own property on Hayden Island, and I've been to several of these meetings. I've also been involved in some other issues with other state agencies that affect the island. [someone in the audience says she can't hear.] Sorry, I have hearing aids. I hear myself very well. [laughter] OK, I quit singing a long time ago. A quick read of the permits that are being considered tonight, I see a lot of what American Petroleum Environmental Services is supposed to do. But I see nothing about what the Oregon DEQ is going to do when APES self-reports whatever it is they're required to self-report. This agency is operating on the integrity and the specificity of the industry reporting to them, but I ask the Oregon DEQ, what are you going to do? How do you enforce the rules and regulations that you're telling us you abide by? The issue that bothers me is that, according to your own DEQ records, APES has been operating without pollution control equipment since 2006. The Oregon DEQ states that it's illegal for APES to remove the pollution control equipment. Oregon DEQ did not discover the pollution control equipment until it had been removed until a 2011 inspection. The air pollution permits for both – for APES – has expired in 2013, and they allowed APES to continue operation with the expired permits. That's all well and good, but since approximately 2000, the Oregon DEQ has been receiving complaints of respiratory illnesses, discomforts, and things going on with the health of the residents since February of 2000. What I'm finding interesting about all this is the purpose for what APES and ORRCO – but what APES is doing is supposedly a good purpose. They're taking a benign –well, I can't say it's benign – but so long as it's contained – oil substance, oil liquid, under a solid waste permit, putting it through oxidized – supposedly, putting it through oxidize, is burning it, but they're allowing the agency – or excuse me, the company – to manufacture a toxic substance that was proven by EPA, and allow that to go into the air. It escapes me; I'm sorry, I just don't understand why, after all these complaints, that the Oregon DEQ has not said cut it, stop it until we figure out what's going on. Everybody says, we know what's going on, but nobody's telling anybody to stop it. I don't necessarily have a problem with APES or ORRCO doing business. What I do have a problem, is the agency that is supposed to be protecting the public, including the employees of the firms that are doing this, are not. They're not doing anything. So I'm saying, before you start granting renewal of permits, that Oregon DEQ get their own act together in the rules they're saying they're going to revise, and abide

by 'em. It's another example of allowing an industry to self-report, and it's not doing, I think, the residents any good. Thank you.

Michelle Knight: My name is Michelle Knight, and I am a member at _____. Scott has had headaches, and we notice the odor across the river, so it's visible to us. And our concern is that it seems from, as we're going through meetings, that APES and ORRCO have not earned our trust, as well as DEQ, but mainly APES ORRCO. And I'd like to know how they're going to, without any enforcement, how are they going to be able -- how they are going to be able to make us trust them, or be able to comply. And I would also like to know, sort of a new question, is when will 24-hour stack monitoring be considered at APES ORRCO? Thank you.

Lisa Powell: Hello, my name is Lisa Powell, and I have a question; well actually, it's more of a comment. It's been said earlier a bunch of times about the self-monitoring. I have a problem with that, mostly because I was told by Mike Mazza himself that if I choose to live in an industrial area, what should I expect? So... [woman from audience asks her to please repeat that]. I was told by Mike Mazza that if I choose to live in an industrial area, what would I expect? So I do not trust that APES will comply, so I have a problem with the self-monitoring, and think that DEQ should be monitoring often.

Jeff G: Hi, I'm Jeff Geisler, I'm a resident, a kayaker, I'm the current chair of Hinoon, the Hayden Island Neighborhood Network. We've been attending these meetings now for -- I can't even remember when we had the first one, actually. There's a couple ways to remedy our scenario without DEQ, which seems to be rather inadequately funded. And the permit process is obviously not perfect, far from it. But if you have a business -- kind of like the railroads, you know, they've been here for 200 years, and so they always have the right of way. Well, maybe the day has come where they don't get that permit anymore, you know, they might have to move over a freeway. Sometimes industries need to move to, you know. They're not going to move 2,000 or 3,000 people, but there are industrial sites where APES

and ORRCCO could move if that ends up being the ultimate solution. But the obvious solution is to clean up their operation. So just like with Mercedes Benz, still, I think to this day, is emitting all kinds of odors from their paint. They have not been able to be shut down, to my knowledge, and they've not actually been told to change anything, because – scientifically, because there's not enough testing equipment, there's never been a finding of what the people are smelling. But out of those meetings, we learned that a scientific study could actually be made by the 3,000 or 10,000 noses that smelled something. That's actually a valid study. We kind of have that same scenario here. So you know, my idea is that we'd like to see your operation be 97%, 100% clean. If you need help getting that kind of equipment, if it exists, I think maybe funding is something that should be looked into. But you should be required to capture and save samples of every delivery, and those records should be dated and timed of the process, so that when you process that delivery, it's almost like an assembly line, comes in, but on the date and time that it gets processed, that becomes a public record, continuous. So that if you do that, and the people start smelling it, we'll pretty much start being able to isolate what it is you're burning that day that we're smelling. It's just my thinking, you know. I don't know that I'm the smartest guy on the block, but it seems like that might be a beginning to finding out what really is getting burnt over there, or processed. These records should be made public, and in the case of detection by the public, you know, we're going to have to have some way to immediately require testing and notification. And other than that, I think that kind of covers it. That's my only solution. It's different than what we've been talking about, so... But eventually, DEQ needs to change your permit guidelines. I don't think they're adequate. Thank you.

Doug Larson: I'm Doug Larson. I'm a member of Portland Harbor Community Advisory Group, and I live in Cathedral Park. I'll talk about the air pollution permit first. I've got comments on both of them. Air pollution: My big issue is sort of self-reporting, and the evasion of Title 5 compliance. DEQ has demonstrated they don't have the capacity to protect public health. I have been advocating with Metro and the mayor's office to take jurisdiction away from DEQ, and for Portland Metro to conduct their own monitoring and air quality. We've been beating our heads with DEQ's air quality department for a long

time, and they either don't have the ability or the interest in protecting people. The governor's new proposed air quality ordinance would be fine if the lobbyists let anything protective get through the legislative process, but I'm not optimistic about that. The solid waste permit: I talked to Heather, who wrote the permit last week, and she confirmed to me that there are PCBs stored in volume on the site. My understanding is they're not protected by containment berms. Because I work with the Superfund advisory committee, I'm aware of the PCBs in the river bottom. It seems like we're one accident away from creating a new Superfund site next to the exhibition center. There's nothing in the permit that addresses the issue of PCB storage. I talked with Laura Knudsen with EPA last week. She was surprised that DEQ is evading any responsibility for the disposal of the PCBs, so they're presently stored on the site. I find that frightening, and find it reprehensible that there's nothing in the permit that addresses the issue. Thank you.

Bevan Burns: Hi, I'm Bevan Burns. I'm the principal of Bridges Middle School. We're just up the street and upwind from both APES and ORRCO. I've been coming to these meetings and submitting formal testimony in writing, meeting with DEQ, EPA, and health officials, kind of not getting anywhere. I was pretty shocked to see that the repeated request from community members, residents and myself; a school, which is zoned, according to the EPA, as requiring special attention. We're not getting it, and we're not seeing the very simple requests that we've made for consistent, reliable, repeated, and reported testing so that we know what is coming out of those stacks. That's the biggest issue left for us, is we don't understand, and we don't know what our kids are breathing. And that's what our families are concerned about, and that's what me as principal, and as a mother of four in the same zip code, is concerned about. We also are concerned about the process. My understanding was that this permitting request was part of also a larger overhaul of the permitting process through the DEQ, as it was explained to me. So what we hope we would see out of that would be transparency, truth, and accountability, and unfortunately, I'm not seeing any of those things happen from APES or ORRCO, or from DEQ, EPA and Metro through this. I've had zero response to any of the formal written considerations for this permitting process, and I've seen nothing reflected in the new drafts that have come out. I'm

disappointed, and I'm unfortunately going to be reporting back to my families about the lack of response, and that we still don't know what their kids are breathing. Thank you for listening.

Man in room: She was the last one, right? And I had about 25 seconds, and I wanted to amend my deal. Unless somebody objects.

Rebecca: So you, and then Mark. Anyone else? Would anybody else like to submit comments? OK.

Doug Larson: Doug, back here. I think I had, like, 25 seconds. But you know, I'm kind of – I'm into solutions. And the one thing that I never heard anybody mention is the user should pay. And that means if you are – and this is a suggestion to you guys. Why don't we have a five percent tax on oil changes, you know, like Oregon Bottle Bill, you know, you had five cents on a pop in '73, '74. Now they just raised it to ten, and you make sure that the stuff gets recycled. That allows you – he's shaking his head, but that allows you [chuckling in audience] to subsidize the equipment, right? That solves your problem. And if it's not so expensive, if it's only like, sixty cents on an oil change, which I suppose these guys would know, but probably 95% of people have their oil changed. The 65 cents on your \$20 oil change is nothing. And then the problem gets solved. Anyway, that's my solution, that's my amendment, thank you.

Mark C: So yeah, I'm Mark Cloman. And now I had a little time to think. I'm not good when I open up to speaking, so... I did like what I heard from the last gentleman, and Jeff, I do think this thing's gotta be solution based. I mean, we all have our passion, and we all are concerned about things, and we all have people that we want to blame, but bottom line is we're all here, and we all have to live here and work here. And so with that, ____ a solution,

I think that's a good conversation to have. However, it's not going to happen overnight. And again, my base feeling is that the track record of DEQ has not been good. Nina has sat here in several meetings and said, "That's on me, that's on me." I have earned your trust, I have earned your trust, and the same things happen. And it has been said, you know, right or wrong, if it's wrong, APES has gotten to work on expired permits, name changes, and some of the other things that has allowed them to operate with inefficient equipment, and you know, I think one thing that would be sensible until a solution does come is to suspend operation for awhile, whether it be 85%, or whatever, like Bevan said, our main thing is we don't know what is in the air, we don't know how much. If we know it's in the air, we can deal with it. If we know how much, you know, there's a very strong possibility that this is a Title 5 company, Title 5 polluter that's flying underneath the radar, because it's self-reporting, and DEQ has not taken it upon themselves to find out what that is. And consequently, that is not a good partnership with the community. And I would, you know, I just really wish that DEQ would think more solution based, and not just, you know, this is how we do it, this is how it's only been done. It's going to open the door for more and more companies to come in and fly under that radar. And I would ask you to do your job. I would ask that until permit be denied, and until we could verify the amount and the nature of what's being omitted. There's too many people in here that are getting sick, and it's serious, it's really serious. I had lunch, I invited commissioners from the DEQ to come and talk to me personally, and he had lunch with a few of us on the dock on a weekday, and it was – the big smells come in the evenings. My wife wakes up usually at about four in the morning with headaches. A lot of people on the docks report that it's in the evenings. I smell a lot on the weekends. But this was in the afternoon, 2:00 on a Tuesday. Very faint, but I smell the smell. And...yeah. And he's one person, he knows it, he encouraged me, he's the one that told me to meet Richard Whitman and send the questions; I never got anything back from Richard Whitman. I never got anything back from Nina, and so that's our frustration. And I will say that I reached out to Michael (Orman?), and I got a lot of information. That's helpful, and that's something that I think DEQ needs to work on is understanding this is a cumulative thing, these aren't isolated problems, they're all connected, and they need to be approached that way.

Rebecca: Is there anyone else?

Sean G: My first question is to the process owners. What process do you use, or do you see happening with PCBs?

Response from Mike Mazza: I don't think that's the format we're in now, right? I can answer that later, but I don't think that's the format of the context of the meeting right now.

Sean G: OK, then the other comment is that DEQ has got to take the responsibility for protecting the public. Somewhere in doing research, I was reading some of the charters of the DEQ, and in there it says to protect the public from hazardous waste. And it sounds to me like they're not even aware -- that can't be aware that there's hazardous waste there, or they would be doing more about it. Thank you.

Rebecca: Anyone else? Going once, going twice... Is there anyone that I'm not seeing? Alright. So hearing no one come forward for additional comments, it is now 7:01 pm, and I am closing the public hearing. And I'll turn it over to Audrey.

Audrey O'Brien: We are pausing the hearing, it is 7:02, we are pausing the hearing, no one is submitting comments at this time, but we'll pause the hearing until the hearing is closed at 8:30, and then I'll notify everyone. Sorry about the confusion.

Michael Orman: It is now 8:30 pm and DEQ is closing the hearing.

End of hearing

Transcribed by Sharon Chalem



From: judy
To: DEQ NWR Solid Waste Permit Coordinator; nfo@katebrownfororegon.com; REP Kotek; mayorwheeler@portlandoregon.gov; amanda@portlandoregon.gov; nick@portlandoregon.gov; dan@portlandoregon.gov; Chloe@portlandoregon.gov; WHITMAN Richard; DECONCINI Nina; tom@npnscommunity.org
Subject: Fw: APES permit
Date: Monday, July 03, 2017 11:49:14 AM

-----Forwarded Message-----

From: judy
Sent: Jul 3, 2017 11:38 AM
To: nwraqpermits@deq.state.or.us
Cc: mlputman@pdxnhn.org
Subject: APES permit

I am a resident of Hayden Island. We purchased our home here because we appreciate the natural environment in which we live. All except the noxious and dangerous fumes from the nearby APES facility.

We have been to meetings, we have emailed your department and provided a narrative as to how this facility negatively impacts our ability to lead normal, healthy lives. We have been yelling into a vacuum. For all intents and purposes, your people, your processes, and your politics appear to render myself and my neighbors invisible.

So, to be specific, we insist you issue an immediate CEASE AND DESIST to APES, who if you are accountable to the people of Oregon (and I find that, based on your agency's behavior, you feel you aren't) this should have been done years ago.

We also insist you DO NOT ISSUE ANY PERMITS to APES until an independent evaluation regarding emissions is completed and MADE PUBLIC.

We would also insist on an independent investigation into the DEQ for the following reasons:
Why is your agency allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013?
Who was responsible for removing the thermal oxidizers from the facility's stack in 2006?
APES has been a GROSS POLLUTER for 11 years, yet the DEQ have never issued a citation in 11 years. Why is that? I get it. You don't live here, so you don't care what happens to us. But our lives hang in the balance. Can you really look in our eyes and tell us there isn't any danger? Of course you can't and you won't.

People are fed up. If your agency doesn't have the wherewithal to stop companies like APES and ORRCO, then you should fold up your tent. The Government works FOR the people, not AGAINST them.

Frankly, you should all be ashamed of yourselves.

An unhappy resident, Judy Chapman

From: [ineke_deruyter](#)
To: [NWR AQ Permits](#); [DEQ NWR Solid Waste Permit Coordinator](#); [WHITMAN Richard](#)
Cc: [Governor Kate Brown](#); [REP Kotek](#); mayorwheeler@portlandoregon.gov; cloe@portlandoregon.gov; dan@portlandoregon.gov; [Nick Fish](#); [Amanda Fritz](#); [DEQINFO](#); [DECONCINI Nina](#); tom@npncommunity.org
Subject: Public comment for APES Permit.
Date: Saturday, July 01, 2017 8:13:04 PM

To whom it may concern,

As someone who lives in N Portland and has attended meetings with neighbors, U of P staff and DEQ staff, I have been continuously appalled at your lack of concern for public health issues brought up during those meetings, as well as your extreme disregard for your own rules and regulations pertaining to industry polluters.

Now I hear that you have no problems issuing another permit to APES, even though they have broken DEQ safety rules. They have unlawfully removed thermal oxidizers, with your knowledge. This has resulted in even more serious carcinogenic air pollution exposure for the people of Portland. Especially in the neighborhoods bordering this polluter.

I strongly suggest the following:

A: No permits are issued to APES at this time, due to their past cheating and frankly criminal behavior towards regulations protecting Public Health.

B: industry be monitored closely and not self-regulate or self-report, since they have been untrustworthy in the past (to say the least.) Since DEQ has allowed them to practice unsafely, I suggest

C: an independent agency check out both DEQ's and APES' unsavory practices. And last but not least:

D: A CEASE and DESIST order be issued by the governor, to protect Public Health.

DEQ needs to have a firm plan in place to closely monitor and report the amounts of carcinogenic toxins released by APES, and act according to those findings.

At this time we have no idea what is being discharged into our air and lungs.

PEOPLE OVER PROFITS! PUBLIC HEALTH OVER INDUSTRY WEALTH! Thank you,

Ineke Deruyter, Portland, OR 97203.

From: [Jan Roxburgh](#)
To: [DEQ NWR Solid Waste Permit Coordinator](#); [NWR AQ Permits](#)
Cc: info@katebrownfororegon.com; [REP Kotek](mailto:REP_Kotek); mayorwheeler@portlandoregon.gov; amanda@portlandoregon.gov; nick@portlandoregon.gov; dan@portlandoregon.gov; Chloe@portlandoregon.gov; [WHITMAN Richard](#); [DECONCINI Nina](#); [FELDON Leah](#); raihana.ansary@oregon.gov; cynthia.arambul@oregon.gov; tom@npncommunity.org
Subject: Air Contamination from Portland Oil Re-Refineries and DEQ Permits!
Date: Friday, June 30, 2017 8:15:51 PM

Air Quality Permit Coordinator
700 NE Multnomah Street, Suite 600
Portland, OR 97232

6/30/2017

Open Letter Concerning Air Contamination Permit 26-3021-ST-01,
Solid Waste Disposal Site Permit SWDP 1591,
The DEQ and Portland Oil Re-Refining Facilities.

Portland residents, especially those on and near Hayden Island, are asking for help concerning a serious oil pollution/air contamination problem which has been traced to oil re-refineries, in particular American Petroleum Environmental Services (APES), operating within the Portland city boundaries. Overpowering toxic oil re-refinery emissions contaminating the air have been happening for years, at any time of day or night, any time of year, and sometimes lasting for hours.

DEQ has been involved in trying to resolve this air pollution situation, but years have come and gone and there has been no resolution. Residents have repeatedly reached out to DEQ, to APES and another nearby, Oil Re-Refining Company, Inc (ORRCO), and pleaded with DEQ and the oil re-refinery company owners without success. There has been repeated rule-breaking by these companies, including operating with very expired permits. (Incredibly it appears that DEQ is poised to issue DEQ permits to these companies in spite of all the air quality problems, and basically allow the companies to self report on how well they are doing.) A huge concern has been that APES have not been using a thermal oxidizer that would have helped deal with some of the toxic air pollution. An oil re-refinery representative told me on June 21st this year that it had never been installed, and had gone to another facility! APES also apparently want to expand their business here in town. This is a frightening thought since it would result in even more toxic chemicals being emitted into the air even with some of the changes the facilities are being forced or asked to make. Sadly industry profits have been coming before the health of the people.

I understand that although oil comes from the ground, it is not good for the environment to simply put dirty oil into landfills. However, emitting these toxic chemicals into the air that we all breathe is far worse! These airborne waste oil emissions have been causing severe respiratory distress, headaches, nose-bleeds, nausea, difficulty concentrating, and other health issues for residents. There are really serious community concerns about the increased cancer risks.

To try to help describe what can happen to residents and visitors here, several times my husband and I have been at the busy local Jantzen Beach Shopping Center when the oil emissions suddenly arrived on a southerly breeze and the fumes just hung around. When

we discussed this disturbing occurrence with other people, we were informed that there have even been evacuations from commercial buildings here on Hayden Island because of this. Extremely concerning was hearing about parents and children playing team sports at nearby Delta Park feeling sickened by these powerful toxic fumes that arrived without warning in the air. Our local Hayden Island fire station gets numerous calls because of residents/visitors worried about these strong oil fumes asking if there is a chemical leak or some possibility of an explosion. It is frustrating for our overworked firemen because they can't fix the problem. What the oil re-refineries are doing to the air is affecting the quality of life for a lot of people. Personally I feel we are being poisoned, and it is known that the effects of these toxins on the body are accumulative.

Sadly what these Portland oil re-refineries are doing is hiding behind a green mask. They are not running a GREEN environmentally-friendly business by recycling, as they like to believe they are. They are negatively impacting the health of whole communities and damaging the environment.

Our society is currently oil dependent, and we are learning from our mistakes about consequences. We all need to be much more environmentally responsible regarding how we manage the whole chain of fossil fuels or else it will come back and haunt us. Some industry permits may need to be denied. Some companies may need to move away from populated or sensitive areas.

With health care being firmly on so many minds right now, prevention of illness and disease needs to be looked at very closely. It is known that cleaner air will prevent a lot of illness, and therefore cleaner air should help keep medical costs down. We need to do all that can possibly be done to safeguard the quality of the air we breathe and the health of Portland residents. What can be done to stop the toxic air pollution that comes from the oil re-refineries here and is making people sick? Do they need to be and could they be shut down?

Thank you for reading these comments.

Sincerely,

Janet Roxburgh
1503 North Hayden Island Drive, #860
Portland, OR 97217

6/30/2017



Virus-free. www.avast.com

12 ^{intended Ben} INTEND TO MAKE A COMMENT

NAME: Jeff Geisler
CLEAN OPERATION w/ 97% to 100%
capture and SAVE
SAMPLES of every delivery

AND RECORD the time
AND DATE of processing

RECORDS of everything that
IS PROCESSED

Testing - INDEPENDENT
Testing
RANDOM & CONTINUOUS
DAILY

The records must
be Public so
when the odors of the
processed milk is
detected - the Public
CAN immediately require Testing



CONSIDER MOVING THE PLANT

From: [Mike Mazza](#)
To: [OBRIEN Audrey](#); [KUOPPAMAKI Heather](#)
Subject: updated comments
Date: Tuesday, May 23, 2017 10:50:47 AM
Attachments: [image001.jpg](#)
[1591 APES TS MRF permit draft 05182017 udated 5.23 by mm.docx](#)

Audrey and Heather, I have updated the draft permit. I have outline and commented in the document, and this email. The purpose changes, and corrections that should be made, in order to make this document/permit read better, and work more towards the purpose of having the permit.

Section 1: I have serious issues as you know of the first and last bullet of section 1.1. Used oil and Spent antifreeze for recycling are already regulated under the EPA process, and supported by DEQ OAR's. They are clearly not regulated as a solid waste unless they are going to a land fill disposal option. You could resolve the issue by applying verbiage to this section that directly reflects the purpose of the permit. Here is an example of what would resolve the first bullet point.

“Used oil as defined in OAR 340-111 that is going for waste disposal (off-specification used oil), and not be recycled (OAR/RCRA 279 On-specification used oil)”
By adding the “that is going for waste disposal, and not be recycled”, this would could resolve the issue of regulating used oil as a solid waste. Basically if it is being properly recycled under OAR 340, then it is exempt from solid waste rules. If not the new added solid waste rules should and would apply.

This same concept for Spent AF should also be applied.

I have to say Remember that Solid waste applies to just that Solids, and not liquids as long as the liquids are not being put in the ground. This language solves all the problems with the permit 1.1. It adds clarity to sections 2.2, 2.3, 5, 6.1, 6.3.

If this isn't changed in some similar fashion, sections 2.2, 2.3, 5, 6.1, 6.3 will have to address, and resolve this issue. The simplest fix to remove used oil and spent antifreeze.

Now on to another fix that is needed. Section 6.3 needs amended to exclude retain samples. It isn't practical that anyone would keep retain samples for 5 years. Especially Used oil filter, and Oily debris.

Used oil alone would encompass large foot print for storage. This over regulates the bulk of what we do, and adds additional data support, that isn't currently in place.

In fact this type of language in the permit is why I have issues. It just isn't practical to conceive how to maintain records on the permit as written. This would be like asking a land fill to require home owner to provide SDS's on the garbage they get rid of every week.

I have to say I am extremely frustrated at this process. When we spoke in person at the begging of this process. I clearly asked you what DEQ's intent was. You said, “to regulate used oil filter, and oily debris under the solid waste rules”. I asked you again “just used oil filters and oily debris” you said yes that is all. Yesterday when we talked you now are saying you want to regulate Used oil under the solid waste. I want you to know I feel lied to, and miss informed. My trust in DEQ has gone done. Furthermore, I feel like DEQ is rushing this process. This is due to your comments about piggy backing this permit with my air permit, to save money for OR. This short sided money saving attitude is what is causing problem throughout all of DEQ. I personally feel it is better to make sure we do it right the first time then have to re-due it.

Hopefully we can resolve this issue. Trust is the most important thing to me the world. I take it extremely serious. If I can trust DEQ, and DEQ can't trust me it will result in both of wasting time.

Michael P Mazza
President



401 East Alexander Ave. Bldg 326.
Tacoma, WA 98421
253-538-5252 - Office
253-533-6007 Direct
253-238-3454 - Fax

KUOPPAMAKI Heather

From: Hila Ritter [Hila.Ritter@oregonmetro.gov]
Sent: Thursday, June 29, 2017 9:37 AM
To: Nina DECONCINI
Cc: OBRIEN Audrey; ORMAN Michael; Paul Slyman; Roy Brower
Subject: Public comments regarding APES
Attachments: Metro_DEQ_letter_APES_public_comments_06292017.pdf

Good morning Nina,

As I mentioned in my email to you yesterday, attached is the letter which contains the public comments Metro received during its public comment period for American Petroleum Environmental Services (APES), the original is being mailed to you today.

Please do not hesitate to contact [Roy Brower](#) or [Paul Slyman](#) if you have any questions.

Thank you,
*Hila

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862



Metro

600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

June 29, 2017

Nina DeConcini
Oregon Department of Environmental Quality
700 NE Multnomah St., Suite #600
Portland, OR 97232

RE: Public comments received by Metro regarding American Petroleum Environmental Services (APES)

Dear Ms. DeConcini:

I am writing to share with you the public comments solicited by Metro to inform our forthcoming decision on whether to issue a new solid waste license for American Petroleum Environmental Services (APES). Many of these comments pertain to matters that are within the purview of DEQ, and I want to make sure you and your staff have these comments available to you for your careful consideration.

In keeping with our standard practices, Metro recently undertook a public engagement process for a new solid waste facility license application submitted to Metro by APES on April 7, 2017. Metro's public engagement efforts included contact with the six neighborhood associations located near APES,¹ a mailing of more than 4,000 postcards to residences and businesses within a one-mile radius of the facility, and electronic notice to a list of interested parties that was established by DEQ at its March 7 informational meeting regarding APES. The electronic notice was also sent to Metro's standard list of solid waste interested parties.

During Metro's public comment period, which ended March 19, Metro received 46 written comments. Many of these comments referenced a similar nearby facility, Oil Re-Refining Company (ORRCO), which has applied to renew its current Metro solid waste facility license. This letter serves to summarize the comments received by Metro regarding APES. A separate letter covering those comments received during the public comment period for ORRCO's license renewal will be provided to DEQ at a later date.

Metro shares DEQ's interest in ensuring that facilities that manage the region's waste and recyclable materials do so in ways that protect the environment and public health, while minimizing conditions that can negatively impact the communities where the facilities are located. If Metro issues a solid waste facility license to APES, the scope of Metro's authority will be limited specifically to monitoring the consolidation and reloading of oily debris such as filters, rags, booms, and absorbents. Matters related to air quality, water quality, potential site expansion, and other solid waste activities fall under the purview of DEQ.

While Metro's role at this site will be focused on the consolidation and reloading of solid waste, it is important to note that Metro inspectors will conduct about six or seven routine,

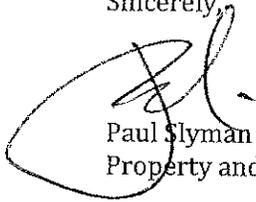
¹ Bridgeton, East Columbia, Hayden Island, Kenton, Portsmouth, St. John's

unannounced inspections at APES each year. Metro will also perform inspections in response to complaints received about the facility and will continue to its share inspection findings with DEQ.

Metro is committed to working with DEQ to ensure that waste facilities within the region operate in a way that is safe for both human health and the environment. The enclosure of the comments that Metro received during its public comment period supports this mission. These comments show that there is significant public concern regarding APES operational practices and their impacts on the air quality of the community.

I hope this is useful information for you. If Metro can be of further assistance on this matter, please do not hesitate to contact me at (503) 797-1510 or Roy Brower at (503) 797- 1657.

Sincerely,



Paul Slyman
Property and Environmental Services Director

cc: Audrey O'Brien, DEQ
Michael Orman, DEQ
Roy W. Brower, Metro

Hila Ritter

From: Mlputman <mlputman@gmail.com>
Sent: Thursday, May 11, 2017 10:11 AM
To: ORMAN Michael
Cc: DEQ Richard Whitman; Nina DECONCINI; Kotek Tina; Frederick Lew; Kafoury Deborah; Applegate Jessica; Salzmann Katharine; Thommen Mark; Geisler Jeff; Beck Richelle; Byrnes Beven; Bayer Bridget E; Ferguson Pam; DEQ Bivins Louis; armstrong.ed@deq.state.or.us; Armstrong Ed; Baraso Sam
Subject: Re: responding to Idea for you

Hi Michael,

Thanks for responding to my April 18 email yesterday. You asked me to cite where in the APES' permit it states that diesel is to be used as a back up fuel. I circled it on attached photo. Also attached are federal specifications of used oil/flash point levels.

Moreover, the permit does not allow the use of off gasses or the use of certain light ends as a fuel source and requires a temperature for processing of 1560 F. According to the owner, Mike Mazza, the fuel is burned at 1200 F. These practices are also in direct violation of the permit.

Many other violations are outlined in a fully annotated permit we delivered to DEQ during a public meeting in Feb 2016. I'm aware that was before your time, so if you haven't been provided a copy by your manager, I'll be happy to send one to you.

Your letter states that DEQ uses a facility wide emission cap for pollutants known as a Plant Site Emission Limits (PSELs). DEQ counts on facilities to demonstrate compliance with PSL's using *self-monitoring* and that these emission levels are accounted for in permit review. We challenge that without the verifiable facts, DEQ's assumption that they are providing you (and the public) accurate info is incongruous.

Why?

- Since 2006, the facility has had no emission control devices, although their permit says they are supposed to.
- Apparently DEQ didn't learn of the illegal emission control device removal until 2011.
- Although there were many public opportunities/ meetings for DEQ to acknowledge the that emission control devices had been removed and their system had been improperly redesigned to bypass permit safety measures, DEQ chose not to reveal that information to the public until **August 2016**.
- Since 2006, citizens have been subjected to oil refining toxic emissions, (some odiferous, some not) despite making thousands of complaints.
- Not only is that cover up insulting to citizens who trusted DEQ, it was negligent and it is "highly likely" that federal Clean Air Act (CAA) violations continue there every day.

It's a simple matter to verify the scientific evidence and DEQ has the authority to enter the plant to do full spectrum tests of the **two burners**, fuel materials, and right at the stacks. And again, **THAT** is what the citizens demand.

Over the past two years, we did the homework to try to help DEQ solve serious emission issues from the oil refiners.

- We suggested that you require APES to use a cleaner source of fuel to process their used oil which would solve most of the problem.
- We revealed to DEQ the presence of an unsecured, vulnerable tankful of illegal PCBs (which you finally acknowledged last Fall) and asked you to wipe/test their stacks during maintenance to provide evidence that PCBs had been illegally burned, but you have failed to do so. Reports from other viable sources about differing

tank sizes and amounts added to our suspicions that illegal PCB burning happened and levels most likely topped off.

- We provided DEQ with the annotated permit ('smoking gun') over a year ago. Many of those known violations have not been enforced by DEQ.

- We provided DEQ with a plant schematic/diagram indicating the exact escape points of the toxic emissions.

- We suggested that you dig deeper into the name change loophole that caused you to back out of the August 2016 PEN.

- We requested that DEQ use part of its \$320 million budget (ie emergency fund?) to provide the public with full-spectrum, emission facts taken from ongoing, true, source testing.

In closing, we maintain that APES is out of compliance and in default on most of their operating permits including air, water discharge, and wastewater discharge. That DEQ recently entered into an MAO with APES/ Clearlube that allows an experimental sulfonation process, putting the public at further risk, is absurd. It is also absurd to consider issuing them a new permit to expand when they didn't comply with the old one. In fact, we request that either DEQ or the Governor shut them down until they comply.

Michael, we also acknowledge that you inherited this mess. We appreciate what you're doing to get control of it. Dealing with rogue polluters who take advantage of holes in DEQs oversight can't be an easy task. Thank you.

Respectfully,
Mary Lou Putman

RESUBMITTING

RECOMMENDATION

The Committee has reviewed the original All-Contractors Heritage Permit (ACHP) which was issued in 1991 and the original schedule to expire on 2/1/2001.

CONCLUSION

The permit was issued by the Department of Environmental Quality for the purpose of...

RECOMMENDATION

The Committee recommends that the permit be renewed for a period of five (5) years and that the original schedule to expire on 2/1/2001 be extended to 2/1/2006.

[Faint signature and stamp area]

* 40 CFR 279.11 - Used oil specifications.

CFR (/cfr/text/40/279.11?qt-cf_tabs=0#qt-cf_tabs)

eCFR (/cfr/text/40/279.11?qt-cf_tabs=1#qt-cf_tabs)

Authorities (U.S. Code) (/cfr/text/40/279.11?qt-cf_tabs=2#qt-cf_tabs)

Rulemaking (/cfr/text/40/279.11?qt-cf_tabs=3#qt-cf_tabs)
prev (/cfr/text/40/279.10) next (/cfr/text/40/279.12)

§ 279.11 Used oil specifications.

Used oil burned for energy recovery, and any fuel produced from used oil by processing, blending, or other treatment, is subject to regulation under this part unless it is shown not to exceed any of the allowable levels of the constituents and properties shown in Table 1. Once used oil that is to be burned for energy recovery has been shown not to exceed any allowable level and the person making that showing complies with §§ 279.72 (/cfr/text/40/279.72), 279.73 (/cfr/text/40/279.73), and 279.74(b) (/cfr/text/40/279.74(b)), the used oil is no longer subject to this part.

Table 1— USED OIL NOT EXCEEDING ANY ALLOWABLE LEVEL SHOWN BELOW IS NOT SUBJECT TO THIS PART WHEN BURNED FOR ENERGY RECOVERY*

Constituent/property	Allowable level
Arsenic	5 ppm maximum
Cadmium	5 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Flash point	150°F minimum
Oil insolubles	100 ppm maximum

NONE OF THEIR FUEL MEET THE SPEC REQUIREMENT.

Note: Applicable standards for the storage of used oil containing PCBs are imposed by 40 CFR 279.50(a) (/cfr/text/40/279.50(a)).

hazardous waste.

(See 40 CFR 279.50(a)).

* Used oil containing PCBs

is not a hazardous waste

under § 279.50(a) if it

meets the following

requirements:

(1) It is not a

hazardous waste

under 40 CFR 279.50(a)

if it meets the

following requirements:

(i) It is not a

hazardous waste

under 40 CFR 279.50(a)

if it meets the

following requirements:

(ii) It is not a

hazardous waste

under 40 CFR 279.50(a)

if it meets the

following requirements:

(iii) It is not a

hazardous waste

under 40 CFR 279.50(a)

if it meets the

following requirements:

(iv) It is not a

hazardous waste

under 40 CFR 279.50(a)

if it meets the

following requirements:

(v) It is not a

hazardous waste

under 40 CFR 279.50(a)

if it meets the

following requirements:

(vi) It is not a

hazardous waste

under 40 CFR 279.50(a)

if it meets the

following requirements:

(vii) It is not a

View eCFR
(<http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&pl=/echrrowse/Titel40/40cfr279>)
Table of Popular Names (top)
Parallel Table of Authorities (left)

4 Ways to Avoid Running of Money During Retirement

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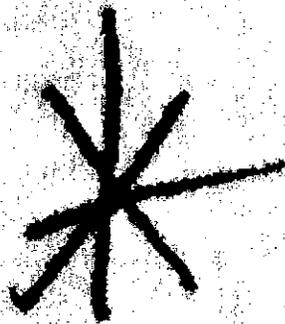
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PERMITTING

PERMITTING ACT

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Rule

§ 279.1



On May 10, 2017, at 3:52 PM, ORMAN Michael <michael.orman@state.or.us> wrote:

Mary Lou,

DEQ's environmental regulations that establish our authority (the Oregon Revised Statutes, Oregon Administrative Rules, and Code of Federal Regulations) are created or approved by the Legislature, the Environmental Quality Commission, and the United States Environmental Protection Agency (USEPA). Current environmental law allows for used oil to be burned as fuel. Pollutants that leave a facility from combustion sources are accounted for in permitting reviews. In Oregon, we use a permitting limit known as a Plant Site Emission Limit (PSEL). A PSEL is a facility-wide emission cap for a pollutant. Facilities demonstrate compliance with their PSELs by monitoring their process for specific operating parameters (throughput, temperature, material usage, etc.), and calculating emissions following procedures defined in their air quality permit. American Petroleum Environmental Services, Inc., (APES) air quality permit has PSELs for criteria pollutants (nitrogen oxides, volatile organic compounds, particulate matter, sulfur dioxide, carbon monoxide, and lead). American Petroleum's PSELs are set below the significant emission rate (SER) for criteria pollutants. The SERs were developed using conservative factors and assumptions to ensure that emission rates below the SERs would not cause the air the public breaths (ambient air) to exceed the National Ambient Air Quality Standards. The NAAQS are concentrations established by EPA to protect public health and the environment.

If APES requested to increase their emissions above their PSELs, they would be required to go through a permitting process (that included public review and comment) to demonstrate that their increased emissions would not cause ambient air to exceed the NAAQS. As you know, this health based review is only for criteria pollutants and does not currently exist in rule for hazardous air pollutants. This gap in our air quality regulations is being addressed through Cleaner Air Oregon.

APES submitted modification to their Standard Air Contaminant Discharge Permit does not propose to increase their emissions above their current PSELs. That being said, DEQ has required APES through a Mutual Agreement and Final Order to verify the emission factors used in their permit renewal and modification applications by conducting stack testing of their emissions. This facility specific data will then be used to verify information submitted in APES permit application and verify compliance with permit limits.

As I mentioned at the information meeting on March 7, 2017, this testing will include sulfur dioxide, particulate matter, volatile organic compounds, nitrogen oxides, carbon monoxide, and metals. The testing will be completed by a 3rd party testing company that must follow EPA Reference Methods and a plan that is approved by DEQ prior to testing. The testing will be completed under representative conditions, meaning the testing will be conducted under the worst case operating conditions. The idea is that representative testing will challenge the thermal oxidizer the most, and if it can meet the destruction efficiency required under that operating scenario, it will be able to under any future scenario. Operating parameters, like contaminant concentration in the used oil, flow rate, process temperature, etc., will be included as monitoring conditions in the permit.

In response to your comment on back-up fuel use, I searched the permit for American Petroleum (26-3021) for the language you mentioned. I wasn't able to find a requirement limiting the use of

on-site produced fuel (diesel or on-specification used oil) as back-up fuel. Please send me a page number or some description of where in the permit this language is used.

DEQ has been working hard to address concerns that you and community members have raised about APES and Oil Refining Company (ORRCO). APES entered into a Mutual Agreement and Final Order with DEQ to address odors and emissions at the facility. As part of the order, APES must shutdown their front plant cooking process, which is also a known source of emissions and odors, by no later than May 26, 2017. The order also requires APES to install a thermal oxidizer to control emissions from their process no later than July 25, 2017. ORRCO stopped using their Kiln and Evaporator, which were probable sources of volatile organic compound emissions back in the summer of 2016. Both the Kiln and Evaporator have been approved for removal which should occur sometime this summer.

Thank you for your comments and ideas.

Sincerely,

Michael R. Orman, E.I.T.

Air Quality Section Manager, Northwest Region

Oregon Department of Environmental Quality

700 NE Multnomah St., Suite 600

Portland, OR 97232

Tel: (503) 229-5160

Cel: (503) 793-9635

From: Mlputman [<mailto:mlputman@gmail.com>]

Sent: Tuesday, April 18, 2017 8:41 AM

To: DEQ Richard Whitman; Nina DECONCINI; Orman Michael

Cc: Geisler Jeff; Byrnes Beven; Beck Richelle

Subject: Idea for you (with HB correction 2269 not 2669)

Good morning Richard, Nina and Michael,

This email is written in good faith with hopes you will seriously consider implementing an idea that would satisfy our concerns about toxic emissions coming from APES during this long interim when there is no emission control device (thermal oxidizer) currently in place.

By now you probably understand that the main source of the debilitating VOCs and heavy metal particulates comes from the contaminated fuel source they use. *

Here's our idea: Require APES to use ASTM fuel grade #2 diesel as their fuel source until their new thermal oxidizer is in place, fully operational, and checked out that it's controlling emissions as designed.

APES' permit says that burning their own (self-made dirty diesel product) as a fuel source is supposed to be used as "*a back up fuel source*" however, their back up fuel source is far more contaminated (with things like anti-freeze, etc) than diesel #2, and it's used full time, not as a back up.

As you know, public complaints started mounting after the thermal oxidizer was illegally removed in 2006. Since then, if they had been using a clean fuel source, such as natural gas, (as Bullseye and Intel use) the public wouldn't have been subjected to the toxic gases and DEQ wouldn't have to be dealing with this serious issue.

Summer is coming and the prevailing winds will soon be shifting to come from the south. We don't want to have another summer of worrying and wondering what time of day or night we might be engulfed. This is our summer home and we should be able to use it, not run from it. Others who live in the north harbor area full time, especially many of the vulnerable populations, aren't so lucky. And they deserve to breathe breathable air too.

After giving testimony in Salem in favor of HB 2269, Richard told me that the DEQ team is considering 'some ideas' about APES issue that might help us during the interim...An ASTM #2 diesel fuel requirement for APES would be a fair solution, don't you think?

Please let us know if you'd be willing to help us.

Mary Lou Putman
206-551-3111

*By the way, in upcoming ORRCO permit renewal, they should NOT be allowed to burn their own self-made fuel source either, as was proposed 1.5 years ago.

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 12, 2017 10:14 AM
To: 'Terry Glenn'
Subject: RE: Comment on American Petroleum Environmental Services Application

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Terry Glenn [mailto:terry@ccifrp.com]
Sent: Friday, May 12, 2017 10:01 AM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: Comment on American Petroleum Environmental Services Application

Hila,

Please accept the attached public comment on the proposed Solid Waste Facility permit for APES. I am unable to attend the hearing in person but wish my comments to be considered.

Thank you,

Terry Glenn
terry@ccifrp.com
360-907-3604

terry | GLENN

May 12, 2017

Hila Ritter
Solid Waste Authorization Coordinator.
Metro Solid Waste Information Compliance and Cleanup
600 NE Grand Ave.
Portland, OR 97232

By Email to: SWICC@oregonmetro.gov

RE: American Petroleum Environmental Services, Inc.
Solid Waste Facility License Application – Public Comment

I am opposed to any expansion of activities at the American Petroleum Environmental Services Inc. (APES) site at 11535 N. Force Rd, Portland because the facility has historically diminished the livability of residential areas in a wide radius around the facility including my home. APES has a track record of failed compliance with other regulatory bodies making it unlikely APES will comply with Metro's regulations.

My home is at 173 NE Bridgeton Rd, a distance of 1.48 miles from the APES facility. I additionally own a boathouse at 37 NE Tomahawk Island Dr, a distance of 1.38 miles. At both locations, it is routine to endure noxious odors which are sufficiently unpleasant to require retreating indoors, and even that is often ineffective at escaping the odors.

I do not have sufficient training or data to comment on the toxicity of the odors. I will only say they are unpleasant and diminish enjoyment of my home. Because the odor is unpleasant, it negatively impacts my property value.

Metro's own mission statement is: *Metro works with communities, businesses and residents in the Portland metropolitan area to chart a wise course for the future while protecting the things we love about this place.* Indeed, clean fresh air has long been a treasured feature of the Portland area.

While air quality is not under Metro's authority, nor is it likely the reloading of oily debris proposed will generate additional obnoxious odors, it is still Metro's responsibility and mission to "protect the things we love", and with this application, Metro has a unique opportunity.

Additionally, the Solid Waste Facility License Application contains false claims and information and should be rejected on that basis alone. Specifically, the "Spill Prevention, Control, and Countermeasure Plan (CPCC) is a critical and integral part of the Solid Waste Facility License Application. Beyond merely an administrative requirement, the applicant is relying upon this document to demonstrate the proposed Solid Waste Facility has the necessary environmental protection plans in place. Metro

173 NE Bridgeton Road • Slip 21
Portland • Oregon • 97211
360.907.3604 • terry@ccifrp.com

terry | GLENN

must rely on aspects of the submitted CPCC to verify the proposed facility will not present a health or environmental hazard.

But the CPCC contains blatant falsifications and claims procedures which are known to not be followed. Specifically Attachment C (6) Odor Containment claims perimeter inspections occur 3 times per week and *any* odors will be reported, the source identified, and corrections made. Based on personal observations and well documented outcry from the surrounding community, it is clear corrections are not made as claimed.

While odor management is not a key concern of the pending permit, the falsification materially discredits other claims which are key concerns. If APES is willing to forgo their own fairly simple procedure regarding odors, which is quite evident to the public, what security does Metro have that less evident procedures claimed will be followed. Indeed, will APES really reject barrels of rags contaminated with hazardous substances as claimed, or will the motivation of profit encourage overlooking this claimed practice as it does other claimed practices? Will this new endeavor really be as innocuous as described, or something more toxic and profitable?

I understand DEQ is the primary regulator with regard to air quality. But DEQ is an organization under intense political pressure with a multitude of dysfunctions, including administrative rules which have fallen behind citizen expectations. It is not acceptable for Metro to simply "pass the buck" and rely on DEQ to protect Metro's constituents, when it is well known DEQ is struggling.

Properly conducted, the work of APES is a valuable service. Improperly conducted, they are a blight on our community, reduce property values in a wide swath, and cause more harm to the City than benefit. I encourage Metro to deny the Solid Waste Facility application on the basis of claimed procedures not being credible, and insist on APES being a good neighbor to Metro's constituents before expansion of their business.

Sincerely,

Terry Glenn
173 NE Bridgeton Rd #21
Portland, OR 97211

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, May 17, 2017 10:16 AM
To: 'Douglas Larson'
Subject: RE: APES Public Comment

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

-----Original Message-----

From: Douglas Larson [mailto:larson.dg@gmail.com]
Sent: Saturday, May 13, 2017 1:19 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: APES Public Comment

Attn: Hila Ritter

I am concerned that this application legitimizes and enables activities beyond the scope of the actual permit. There is inadequate verification of self reported pollution volumes that conveniently evade Title V requirements. This company has demonstrated a lack of compliance with the existing permits that are lapsed and violated. Metro and DEQ have demonstrated limited ability to enforce these permits.

The permit application erroneously states that there are no pending land use violations. The Willamette Superfund Site is dealing with corporate malfeasance relating to the illegal disposal of PCBs. Taxpayers will share in the Billion dollar cost of the remedy. APES currently has several storage tanks of oils contaminated with PCBs. There are no containment berms. The tanks are in an earthquake liquefaction zone. Directives to dispose of the PCBs to a regulated facility have been violated. There is no oversight as to proper handling and accounting. Dirty oil is used as an energy source on site. Over time, is the volume of these PCBs being reduced in this incineration? Without regular monitoring how can anyone know. We do know of adverse health impacts on the neighbors. Until you can enforce compliance with any of these permits, you should not go forward with renewals.

Doug Larson
Cathedral Park Neighborhood
PHCAG Board Member

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Thursday, April 13, 2017 9:54 AM
To: 'jwbslb@comcast.net'
Subject: RE: apes license

Thank you for your comment received in response to the license application for APES. Metro will respond to comments after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

-----Original Message-----

From: jwbslb@comcast.net [mailto:jwbslb@comcast.net]
Sent: Tuesday, April 11, 2017 10:43 PM
To: Solid Waste Information Compliance and Cleanup
Subject: apes license

Dear Hila Ritter,

Thank you for the opportunity to comment on the new license application of APES. I find the commentary on the article about the public comment period on the Metro website to be objectionable, as in my opinion it appears to try to dissuade public comment by the context in which this government agency says it has regulatory authority over the site, while state DEQ regulates air quality, etc. In reading the owner's explanation of how he will respond to environmental incursions I have little doubt that it probably meets the letter of the law when it comes to the regulatory requirements.

However, regulations are written legal precepts that attempt to balance the public's need/desire for safety while looking out for the business interests of the business/government. Thus, those involved stakeholders depend on a more overriding concept, known as the "spirit of the law." In this regard I believe the owner of this business from Tacoma, Washington has a long track record of being a "bad neighbor." More specifically in regards to the area of air quality at this site, news sources and government documents substantiate that the owner illegally removed air quality control devices and failed to promptly notify the appropriate regulatory authorities of this defiance of those licensing requirements. Now some may argue that air quality regulations are totally separate from site regulations, but what they miss to their own and others detriment is "the spirit of the law."

So my input at the very least is that the new site license be DENIED for APES. Should a new license application be submitted by a different ownership group then I would be open to commenting on their request if provided the opportunity.

At most my input is that the current owner, only after providing adequate documentation that "he understands and intends to pursue the spirit of the law" and has supplemented his environmental incursion insurance be allowed to continue in some sort of fashion of this vital industry. But certainly under NO circumstances should he be allowed to continue as owner at this site.

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 19, 2017 3:40 PM
To: 'Martha Cone'
Subject: RE: American Petroleum Environmental Services and ORRCO Permits

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Martha Cone [mailto:marthacone@comcast.net]
Sent: Thursday, May 18, 2017 4:53 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Cc: 'Maia' <mgodet@comcast.net>
Subject: American Petroleum Environmental Services and ORRCO Permits

I began visiting the Jantzen Beach Moorage in Feb. 2015 on weekends and lived at 1991 Jantzen Dr., a floating home at the moorage, at least half time starting in summer 2015.

During that summer, we experienced periods of "low air quality" which often occurred at nights and on weekends. The air was filled with a foul, sulfurous, oily odor which came and went. During a particularly bad spell, we had to remain indoors with the doors and windows closed because the air was so irritating to the nasal passages and throat, and in August, I came down with a severe sore throat lasting THREE WEEKS. I was tested for strep and mononucleosis, and both were negative. I had elevated liver enzymes and altered blood count. I had bloody mucus draining from my sinuses. The sore throat was so bad I had to curtail my usual activities. At the same time, I became aware that others in the Jantzen Beach moorage were complaining of similar symptoms, and they alerted KGW News, who sent a news crew in a truck to the south bank of the Columbia to find the source of the odor. They parked outside one of the above named companies, and the odor was so noxious they couldn't even get out of their truck. This was documented on video and the segment aired on KGW channel 8.

We contacted DEQ and attempted to document when the odor was present. Lately, there have been sporadic incidents of the odor. If these companies are allowed to expand their

operations, will there be any better control of their toxic emissions, or will there simply be a greater volume?

I do not trust these companies to perform the industrial chemical operations that they are proposing. It is obvious that either THEY DON'T KNOW WHAT THEY ARE DOING, or THEY ARE WILLFULLY POISONING THE AIR for the sake of their own PROFIT. Considering the fact that most of the odors occurred outside normal business hours, it seems suspicious. They are not performing a noble environmental service by recycling, if they are poisoning the air by attempting to do so.

May I point out that these are not simply "bad smells". They are irritating chemicals which cause illness in humans and other forms of life. Many noxious chemicals have chronic toxic effects at "low" concentrations. Some of the chronic effects of toxins on humans are not completely known or understood. Add to that the anxiety caused by the spoiling of our air, the unpredictability of the occurrences, and the frustration of not knowing exactly what we are breathing and how it will affect our health, and the negatives outweigh the desirability of "recycling". Besides the effect on our health, the existence of this threat lowers our property values.

Please take my comments into advisement.

Martha Cone
1991 N. Jantzen Ave.
Portland, OR 97217
541-224-2055

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, May 17, 2017 10:23 AM
To: 'Jan Roxburgh'
Subject: RE: American Petroleum Environmental Services, Inc. (APES) New Permit License Application

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Jan Roxburgh [mailto:hummingbirdzoo@yahoo.com]
Sent: Wednesday, May 17, 2017 8:41 AM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: American Petroleum Environmental Services, Inc. (APES) New Permit License Application

Dear Metro,

Thank you for giving facility neighbors the chance to submit comments on the APES new License Application.

It is with shock and great concern that I read about the application from APES to Metro for a new License to consolidate and reload oily cleanup material such as oily rags, booms, absorbents, etc. I understand that their current operations would not change under the proposed renewal.

I live on Hayden Island and unfortunately have experienced frequent sickening petroleum-based emissions that have been firmly traced to the oil re-refinery. It can happen at any time of day or night, any time of year, and last for hours. We are basically at the mercy of southerly wind directions whether it reaches us or residents in other nearby areas in Portland. These oily emissions cause me severe respiratory distress, headaches, nausea, difficulty concentrating, and due to our community not being able to solve this ongoing air pollution problem after repeatedly reaching out to the owner, it has left me with anxiety.

Several times my husband and I have been out in the open in the Jantzen Beach Shopping Center when the oil re-refinery emissions suddenly arrived and hung around. When we discussed this situation with others, we were informed that there have even been evacuations from commercial buildings here on the island because of these strong emissions until the people in charge knew the source was the nearby oil re-refinery. Parents and kids playing team sports at nearby Delta Park have felt sickened by these powerful oily emissions carried in the air. As NETs (Neighborhood Emergency Team) members, we went to see our local firestation and they told us that they get numerous calls because of residents/visitors worried about whether there is a chemical leak or some possibility of explosion. It is frustrating for them because they can't fix the problem. What this oil re-refinery is doing to the air is affecting the quality of life for a lot of people. We feel we are being poisoned, and the effects of these toxins are accumulative.

I understand that there is the belief that it is good for the environment to stop putting dirty oil into landfills, but putting these toxic chemical emissions into the air that we all breathe is far worse.

Please do all that you can to safeguard to quality of the air and the health of Portland residents. Please deny APES this new permit license application and any future applications. Sadiy they have shown that they care more about profits than about the environment and the health of Portland residents.

Thank you for reading these comments.

Sincerely,

Janet Roxburgh
1503 North Hayden Island Drive, #860
Portland, OR 97217
5/17/2017



This email has been checked for viruses by Avast antivirus software.
www.avast.com

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 19, 2017 3:41 PM
To: 'Beven Byrnes'
Subject: RE: Public Comment for Consideration in DEQ permitting of APES & ORRCO

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Beven Byrnes [mailto:bbyrnes@bridgesms.org]
Sent: Friday, May 19, 2017 8:42 AM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>; Rep.tinakotek@state.or.us; Sen.LewFrederick@oregonlegislature.gov; Whitman.richard@deq.state.or.us; Bivins.louis@deq.state.or.us; DECONCINI Nina <nina.deconcini@state.or.us>
Cc: Beven Byrnes <bbyrnes@bridgesms.org>
Subject: Public Comment for Consideration in DEQ permitting of APES & ORRCO

Hila Ritter, Solid Waste Authorization Coordinator.

Please accept the attached PDF as official comment from Bridges Middle School for consideration in DEQ permitting of APES & ORRCO.

Please do not hesitate to contact me with any questions.

Thank you for your consideration,
Beven

Beven Byrnes
Principal/Executive Director
Bridges Middle School

Direct: (503) 916-2929
Cell: (503) 887-6319
[Bbyrnes@BridgesMS.org](mailto:bbyrnes@BridgesMS.org)

[Http://BridgesMS.org](http://BridgesMS.org)

Bridges Middle School is an independent nonprofit school in Portland, Oregon where caring, trust, respect and excellent teaching take 5th-8th grade students with learning differences to new levels of confidence, competence and opportunity.



May 19, 2017

Hila Ritter, Solid Waste Authorization Coordinator
Metro Solid Waste Information Compliance and Cleanup
600 NE Grand Ave.
Portland, OR 97232
SWICC@oregonmetro.gov
Fax: 503-813-7544

RE: American Petroleum Environmental Services, Inc. and Oil Re-Refining Company, Inc.
solid waste facility license renewal Comment.

Dear Hila,

Oregon is all about being green and a leader in climate change, but our own air is dirty because the law is not stringent enough to protect our citizens - especially our kids.

I am the Principal of Bridges Middle School, a nonprofit private school for kids with learning differences (all considered to be "sensitive receptors") located just downwind from APES and ORCCO at 716 NE Marine Drive. I am also a resident in the same zip code of the school and a mother to four daughters. I have worked in Portland's nonprofit sector for over 20 years serving our most vulnerable citizens.

According to the EPA, *"Sensitive receptors include, but are not limited to, hospitals, schools, daycare facilities, elderly housing and convalescent facilities. These are areas where the occupants are more susceptible to the adverse effects of exposure to toxic chemicals, pesticides, and other pollutants. Extra care must be taken when dealing with contaminants and pollutants in close proximity to areas recognized as sensitive receptors"*.

I recently learned about toxic hydrogen sulfide in the air of our neighborhood that our staff and students have been unknowingly exposed to since relocating to our North Portland building in 2013. Through a recent public meeting hosted by DEQ - *that we were invited to by members of our local neighborhood association* - we learned about two oil re-refineries in our neighborhood that have been allowed to continue operation years after a known lapse in DEQ permitting and discovery of the illegal removal of air toxin purifying systems at these sites.

EPA testing conducted at and around these sites in 2015 and 2016 verified four chemicals exceeded the chronic health benchmarks used by the EPA, including Hydrogen Sulfide, the culprit of the Big Stink in North Portland may have heard about. When inhaled, hydrogen sulfide is known to cause symptoms including persistent headaches and nosebleeds - symptoms frequently experienced by our students and staff.

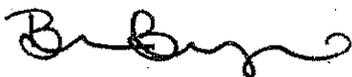
The Oregon Legislature needs to make a special rule-making for oil refineries and it needs to include all three types – Oil refinery, Oil re-refinery, and oil recyclers. DEQ and EQC need to demand independent testing at oil refineries, re-refineries and recyclers in the stacks - ONGOING and FULL SPECTRUM.

APES and ORCCO need their operations shut down by using Governor Brown's Cease and Desist authority or by using DEQ's authority to shut them down until new rules are written and they are reclassified as title 5 polluters.

On behalf of our students, their families and our staff, I urge you to NOT approve permitting for APES or ORCCO without the above requested action. *Our children deserve better.*

I thank you for your time and consideration. I hope you all agree that our sensitive children are worthy of your attention and action on this important public health issue.

Beven Byrnes



Principal/Executive Director
Bridges Middle School

Direct: (503) 916-2929
Cell: (503) 887-6319
Bbyrnes@BridgesMS.org

Bridges Middle School is an independent nonprofit school in Portland, Oregon where caring, trust, respect and excellent teaching take 5th-8th grade students with learning differences to new levels of confidence, competence and opportunity.
Bridges Middle School | 716 NE Marine Drive | Portland, OR 97211 | BridgesMS.org

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, May 17, 2017 10:20 AM
To: 'Laura Miller'
Subject: RE: Do not grant permits to APES or ORCCO

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Laura Miller [mailto:lauralmiller1@comcast.net]
Sent: Saturday, May 13, 2017 2:36 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>; rep.tinakotek@state.or.us; sen.lewfrederick@oregonlegislature.gov; sen.michaeldembrow@oregonlegislature.gov; whitman.richard@deq.state.or.us; 'BIVINS Louis' <louis.bivins@state.or.us>; Senator_Merkley@Merkley.senate.gov; Amanda Fritz <Amanda@portlandoregon.gov>; cjohnson@vbjusa.com; chloe@portlandoregon.gov; Deborah Kafoury <mult.chair@multco.us>; Deborah.L.Letourneau@state.or.us; Emily Harris <eharris@opb.org>; Joe Smith <jsmith@kgw.com>; Jonathan Brinckman <jbrinckman@news.oregonian.com>; Loretta Smith <district2@multco.us>
Cc: Laura Miller <lauralmiller1@comcast.net>; media@nwnatural.com
Subject: Do not grant permits to APES or ORCCO

Toxic Poison or Nuisance Odor?



In the past decade, have you smelled a “natural gas” odor but no one ever found a gas leak? You are not alone.

NW Natural has received over 10,000 complaints for an odor in the past decade – and it wasn’t from a gas leak.

Where is the odor coming from and why is this release allowed? Good questions.

1. The odor comes directly from APES and ORCCO – oil re-refineries collecting and refining used motor oil and dirty industrial lubricants for resale. DEQ has admitted it comes from them and we have tracked it down by following our noses directly to the plant. Both refineries are located in North Portland near the Columbia River.
2. A decade ago the thermal oxidizer (emission control device) at APES was illegally removed. Oregon Department of Environmental Quality (DEQ) has known since 2011 but hasn’t forced APES to reinstall due to a loophole in the law.

3. DEQ has never conducted full-spectrum stack testing to provide fact-based emissions data. DEQ's flawed monitoring did not obtain results showing the true danger of these emissions.

Why should you be concerned?

Local resident illnesses (bloody noses, respiratory distress, headaches, etc.) worsen when wind blows directly from APES and ORRCCO. Gases and metals released during the refining process are dangerous and known carcinogens. A recent Mutual Agreement and Final Order between DEQ and APES is flawed; bundling requirements of the thermal oxidizer while allowing installation delay with APES' proposed expansion plans. It does not provide accountability if APES does this again (or any oil refinery), and the law says this is OK.

We NEED your help! APES and ORRCCO are both asking for permit approval. Metro is asking for public comment by May 19. NOW is the time to get involved.

**TAKE
ACTION!**

1. **Contact your local governing authorities:**
 - a. Provide written comments to Metro by May 19 (see next page for information).
 - b. Write letters/call the following decision makers every Tuesday for **Take Back Our Clean Air Tuesdays** (see next page for list of representatives and their contact information).
 - c. Provide verbal testimony - Attend DEQ meetings, City Council meetings, Town Halls and public legislative events to voice your concerns.
2. **Contact your local media sources:**
 - a. Send letters to editors or contact media outlets about your concerns through public access areas listed on each media source website.

Please include the following key points in your comments:

- Oregon is all about being green and a leader in climate change, but our own air is dirty because the law is not stringent enough to protect us citizens. The Oregon Legislature needs to make a special rulemaking for oil refineries and it needs to include all three types – Oil refinery, Oil re-refinery, and oil recyclers.
- DEQ and EQC need to demand independent testing at oil refineries, re-refineries and recyclers in the stacks ONGOING and FULL SPECTRUM!
- APES and ORRCCO need their operations shut down by using Governor Brown's Cease and Desist authority or by using DEQ's authority to shut them down until new rules are written and they are reclassified as title 5 polluters.

Write or Call the following people every Tuesday for Take Back Our Clean Air Tuesday:

- Governor Brown, 503-378-4582
- Tina Kotek, 503-286-0558. Rep.tinakotek@state.or.us
- Senator Lew Frederick, 503-986-1722, Sen.LewFrederick@oregonlegislature.gov
- Senator Michael Dembrow, 503-986-1723, Sen.MichaelDembrow@oregonlegislature.gov
- New DEQ Director, Richard Whitman, 503- 229-5300, Whitman.richard@deq.state.or.us
- Louis Bivins, DEQ, 503-229-6333. Bivins.louis@deq.state.or.us
- DEQ Complaint Line: 1-888-997-7888.

To submit comments for both APES and ORRCCO to Metro:

Metro Solid Waste Information Compliance & Cleanup
600 NE Grand Ave., Portland, OR 97232
Fax 503-813-7544

Email: SWICC@oregonmetro.gov
More info: oregonmetro.gov/solidwastepublicnotices

For more information and talking points, please refer to these excellent resources:

- "The Big Stink" in Portland Tribune: <http://pamplinmediagroup.com/pt/9-news/348568-227698-the-big-stink-on-hayden-island>
- "Cleaning Up Our Toxic Air" in Portland Tribune: <http://portlandtribune.com/sl/353972-233028-cleaning-up-our-toxic-air>
- Website: <http://www.pdxnhn.org/>
- Facebook: @Pdx North Harbor Neighbors

Laura Miller
Sapphire Daily Money Management
424 N. Bridgeton Road
Portland, OR 97217
503.654.9200 cell
Sapphiredmm.com

Hila Ritter

From: Karen Peters <kpetersnm@yahoo.com>
Sent: Friday, May 19, 2017 3:44 PM
To: Solid Waste Information Compliance and Cleanup
Subject: public comment: Air Quality Concerns in Bridges' Neighborhood

My child is a student at Bridges Middle School, a nonprofit private school for kids with learning differences (all considered to be "sensitive receptors") located just downwind from APES and ORCCO on Marine Drive. According to the EPA, *"Sensitive receptors include, but are not limited to, hospitals, schools, daycare facilities, elderly housing and convalescent facilities. These are areas where the occupants are more susceptible to the adverse effects of exposure to toxic chemicals, pesticides, and other pollutants. Extra care must be taken when dealing with contaminants and pollutants in close proximity to areas recognized as sensitive receptors"*.

I am writing to ask that enforceable requirements be put in place for APES and ORRCO to reduce odors and emissions. I know that work is already happening in this area, but we need to do more to protect our neighborhood and our children. This should include regulations for oil refineries that includes Oil refinery, Oil re-refinery, and oil recyclers. DEQ and EQC need to demand independent testing at oil refineries, re-refineries and recyclers in the stacks that are ongoing, and full spectrum.

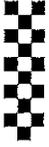
Thank you for your attention to this matter.

Karen Peters

7416 N Olin Ave

Portland, OR 97203

kpetersnm@yahoo.com



May 19, 2017

Metro Solid Waste Information Compliance & Cleanup
600 NE Grand Ave.
Portland, OR 97232

MAY 19 17 RCUD

Re: APES and ORRCO toxic fumes in North Portland.

East Columbia Neighborhood Association supports the actions of Portland North Harbor Neighbors <http://pdxnhn.org> and all other groups maintaining the following position regarding American Petroleum Environmental Services Inc. (APES).

1. Invoke an immediate cease and desist on all production until:
 - A. Emission controls are in place and working.
 - B. Tank farm containment berms are constructed.
 - C. Safety features are in place.
2. Require 24/7 full stack emission monitoring to inform the public of the exact amount and type of pollutants that are being emitted.
3. Allow no expansion, sulfonation, oil polishing, waste water treatment, solid waste Or hazardous waste incineration until it's proven to be safe for the public and the environment and full stack monitoring.

This letter was approved by the East Columbia Neighborhood Association general membership on March 14, 2017.

Thank you for your attention.

Martha Johnston
ECNA Land use Chairperson
9509 NE 13 Ave.
Portland, Or. 97211
503-720-5035
ediplumb@gmail.com

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, May 17, 2017 4:53 PM
To: 'Michael D. Scott'
Subject: RE: Comments - APES & ORRCO permit applications

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Michael D. Scott [mailto:msscott@soonerhoops.com]
Sent: Wednesday, May 17, 2017 4:44 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>; mlputman@pdxnhn.org
Subject: Comments - APES & ORRCO permit applications

Hi Metro -

I'm attaching my public comments as a PDF. They're formatted the best. If you can't open the PDF, then please see my cut/paste of those comments in the email below.

Thank you!
-Michael

RE: Written comments regarding permit applications for:

- **American Petroleum Environmental Services (11535 N. Force Ave)**
- **Oil Re-Refining Company (4150 N. Suttle Road)**

Metro -

I live in Hayden Island's manufactured home community, which is just north of the APES and ORRCO facilities. When the wind blows from the south, my neighbors and I are forced to endure the air quality issues (and subsequent impacts to our health) created by one or both of these facilities.

I personally have respiratory problems (asthma and allergies) – and receive injections every two weeks to help alleviate my symptoms. My symptoms are markedly worse when we get the fumes coming out of those plants. I'm forced to stay inside and avoid most outdoor activities, like using the walking paths that surround our beautiful river.

I'm not alone. As an important source of affordable housing to Portland, our community is home to a disproportionate number of older/elderly people. Both my neighbors are retired, and I'd venture to say that 6 out of the 8 nearest homes on my street are occupied by people over 60. A good number of these folks also have respiratory problems – in fact, I regularly see oxygen delivery trucks on my street!

I'm lucky – I have AC and can stay inside on the worst days. Most of my neighbors don't, and with their oxygen tanks, aren't terribly mobile and have no choice but to breathe whatever APES and ORRCO are spewing that day.

Last year, Governor Kate Brown launched an important interagency program – Cleaner Air Oregon – to bring our state's air quality standards up to acceptable levels. The draft framework they issued on March 21st, 2017, was a good start – but those standards can be (and will be) improved through public comment as the year progresses. As such, **Metro should recognize and acknowledge that new air quality standards are coming, and the specifics of those standards are presently unknown.**

It would be short-sighted at best, and negligent at worst, for Metro to approve a slate of permits before Cleaner Air Oregon completes its effort. **As such, I urge Metro to deny any APES and ORRCO permit applications that would have impact on air quality.**

Thank you for your consideration.

Michael Scott

2331 N. Menzies Ct, Portland, OR 97217

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- **Oil Re-Refining Company (4150 N. Suttle Road)**

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Thank you for your consideration.

Michael Scott
2331 N. Menzies Ct, Portland, OR 97217

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Monday, May 22, 2017 8:37 AM
To: 'GREG STEEL'
Subject: RE: Deny APES / Oil Re-Refining Company

Hello,

Thank you for your comment received in response to the license application for APES and ORRCCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: GREG STEEL [mailto:gsteel99@hotmail.com]
Sent: Friday, May 19, 2017 4:43 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: Deny APES / Oil Re-Refining Company

Hello

Granting APES a license to expand their operation goes counter to Portland Oregon City Council's resolution No. 37168, passed in UNANIMOUS vote, which opposed the expansion of fossil fuel infrastructure in the city and its adjacent waterways. As a Hayden Island resident I adamantly oppose APES expansion as do thousands of other Portland residents. I also oppose the renewal of ORRCCO permits to continue on their operation. These two companies must have up to date emissions monitoring equipment, 24 hr 7 days a week 365 days a year stack monitoring (if you can not do this then shut them down), containment berms around all holding tanks and list both companies as Title V polluters so they may be regulated with a fine tooth comb.

Thanks
Greg Steel, 97217
Concerned Hayden Island Resident

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 19, 2017 3:51 PM
To: 'Cecilia Youngs'
Subject: RE: APES -Public Comment

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Cecilia Youngs [<mailto:cyoungs@yoakum.com>]
Sent: Friday, May 19, 2017 2:36 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: APES -Public Comment

Hi, Hila,
Attached is my public comment for APES. The text is also included below.
Thanks,
Cecilia Youngs

Cecilia Y. Youngs
Attorney at Law
9725 SE 36th St., Ste. 404
Mercer Island, WA 98040
206-799-3608

This e-mail message is confidential. It is intended solely for the use of the individual named above. If you are not the intended recipient, or the person responsible to deliver it to the intended recipient, you are hereby advised that any dissemination, distribution or copying of this communication is prohibited. If you have received this e-mail in error, please immediately notify the sender by reply e-mail and delete and/or destroy the original and all copies of the e-mail message. IRS Circular 230 Disclosure. To ensure compliance with requirements imposed by the IRS, we hereby inform you that any U. S. tax advice contained in this communication (including attachments, if any) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any matter addressed herein.

May 19, 2017

SWICC@oregonmetro.gov
Hila Ritter, Solid Waste Coordinator

Metro Solid Waste Information Compliance and Cleanup
600 NE Grand Ave.
Portland, OR 97232

RE: American Petroleum Environmental Services, Inc.

Dear Hila:

Thanks you for the opportunity to comment. I am writing to urge Metro not to issue a permit to American Petroleum Environmental Services (APES). Although the Metro permit is for storm water, APES has had many problems with its air permit. The way APES has operated the facility demonstrates that it cannot be relied upon to be a good corporate citizen.

APES has operated its facility outside or on the edge of its permit. It is believed that the owner of APES removed the thermal oxidizers, but APES has been able to avoid liability by changing the name of the company – even though the owner is the same person. Although the owner claimed he was an environmentalist and made drawings showing indicating that there were thermal oxidizers in place, this was not true. The owner knew there were no thermal oxidizers. When confronted, the owner claimed the processor destroyed the toxic emissions. But, that was not true, either. The toxics emissions were not burned at a high enough temperature or a long enough time to render them safe. They were simply emitted into the atmosphere. APES also stored PCB-oil illegally on the property without a permit, and it is believed that APES was burning PCB-oil in order to dispose of it. The PCB-oil had benzene in it – another hazard. It is believed that APES diluted the hazardous waste PCB-oil with water.

To issue a permit to APES for its planned expansion (and turn the residents of Portland into guinea pigs) would demonstrate that Metro does not take adequate steps to protect the public health or the environment. Metro must require that APES demonstrate that it is safe before any permit is issued.

Metro must show leadership and fill the void where the state of Oregon has failed. Because there has been little or no enforcement and APES has not been a good corporate citizen, Metro must use its leverage to require full-time stack monitoring on an on-going basis before any permit for storm water is issued.

I urge you to deny the issuance of a permit.

Sincerely,

Cecilia Y. Youngs
Attorney at Law

CECILIA Y. YOUNGS, ATTORNEY AT LAW
9725 SE 36th Street, Ste. 404
Mercer Island, WA 98040
206-799-3608

May 19, 2017

SWICC@oregonmetro.gov
Hila Ritter, Solid Waste Coordinator
Metro Solid Waste Information Compliance and Cleanup
600 NE Grand Ave.
Portland, OR 97232

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I urge you to deny the issuance of a permit.

Sincerely,



Cecilia Y. Youngs
Attorney at Law

Hila Ritter

From: Hila Ritter
Sent: Wednesday, April 19, 2017 2:33 PM
To: 'jnbangs@yahoo.com'; Solid Waste Information Compliance and Cleanup
Subject: public comment regarding APES and ORRCO

It was nice speaking with you today Ms. Bangs. Here is the comment that I will include regarding APES and ORRCO.
"I would urge you to be as vigilant as you possibly can to ensure the public that these companies are meeting the standards of the licenses and permits to protect the public's health. Please makes sure that they are managing their waste properly and their overall operations to make sure people are not getting sick." - Jean Bangs

Thanks,

*Hila

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

Hila Ritter

From: Mlputman <mlputman@gmail.com>
Sent: Thursday, April 20, 2017 7:34 AM
To: Solid Waste Information Compliance and Cleanup
Cc: Byrnes Beven; Beck Richelle; Weeks Alison; Applegate Jessica; Salzman Katharine; meewatts@gmail.com; Larson Doug; parafriend@comcast.net; Johnston Martha; Ferguson Pam; Thommen Mark; Charlton Nikki; Geisler Jeff; kmkane123@gmail.com; cakjscr@comcast.net; scott.niesen@comcast.net; Miller Laura; powell Lisa; Quinn Barbara; Roxburgh Jan; aroxburgh@ieee.org; Given Ann; Trudeau Anne
Subject: Re: Metro's oversight of oil refiners ORRCO and APES-hazardous waste etc

Good morning Hila,
Thank you for your postcard distribution information below.

Metro may want to consider augmenting the postcard distribution list further than a 1-mile radius because, as we've learned, APES and ORRCO issues affect citizens much further out, east and west, north and south—off-gassed VOCs seek *the lowest points available, i.e. the surface of the Columbia River...* Citizens up and down the river are just now becoming aware of the bigger issues involved. NW Natural Gas is well aware of the widespread affect too. They have complained to DEQ about APES and ORRCO for years.

A citizen from St Johns, who did not receive a postcard, commented yesterday , "This was not well publicized at all. It would have been nice for all north Portlanders to have weighed in since we are also exposed to the toxic air depending on wind direction. Very objectionable!"

Although your jurisdiction may not involve the VOCs or heavy metal particulates that the oil refiners emit, Metro managers should be fully aware of the bigger issues and *why some people may object to granting permits to these oil refining companies who have been allowed to not do the right thing for decades.* (Think operating without emission controls and storing illegal PCBs for starters)

I was under the impression that Metro deals with hazardous, solid waste and that PCBs are hazardous waste. Illegal PCBs are being stored in tank(s) without containment berms.

We appreciate Metro's intervention 1.5 years ago to halt some of ORRCO's questionable practices. Please, we need Metro's continued top-level intervention to stop the absurd policies and loopholes that allow hazardous shenanigans to continue at both refineries.

Thank you.

Mary Lou Putman
206-551-3111

On Apr 19, 2017, at 4:08 PM, Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov> wrote:

Hello Ms. Putman,

Thank you for your comment received in response to the license application for ORRCO and APES. Metro will respond to comments in a staff report after the close of the public comment period.

To answer your questions about the public notice postcards; the post cards for APES and ORRCO were distributed to the same mailing list. They may not have been sent out from the print shop on the same day, but each household or business that received one should also receive the other. Metro typically sends these notices to ¼ mile radius of the applicant, and in the case of these oil re-refineries we extended that radius to more than one full mile. The information was also emailed to the six neighborhood associations that surround these two sites; as well as the list of email addresses gathered by DEQ at their informational meeting in March.

Metro's authority is specific to the consolidation and reloading of oily cleanup materials that is conducted at these sites, therefore I cannot address your questions about the PCBs.

Hila Ritter

Solid Waste Authorization Coordinator

Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov

600 NE Grand Ave.

Portland, OR 97232-2736

503-797-1862

-----Original Message-----

From: Mlputman [<mailto:mlputman@gmail.com>]

Sent: Wednesday, April 19, 2017 12:26 PM

To: Solid Waste Information Compliance and Cleanup

Cc: Byrnes Beven; Beck Richelle; Weeks Alison; Applegate Jessica; Salzmann Katharine; meewatts@gmail.com; Larson Doug; parafriend@comcast.net; Johnston Martha; Ferguson Pam; Thommen Mark; Geisler Jeff; kmkane123@gmail.com; cakjscr@comcast.net; scott.niesen@comcast.net; Miller Laura; Powell Lisa; Quinn Barbara; aroxburgh@ieeee.org; Roxburgh Jan; DEQ Richard Whitman; Nina DECONCINI; Orman Michael

Subject: Question about oil refiner ORRCO Public Notice postcard

Hi Hila,

It seems my neighbors only received a postcard about submitting public comments regarding ORRCO permit but not about APES.

It is my understanding that APES has the same timeframe (May 19th) for public comment, however, most people affected don't know it because they haven't received a postcard.

At the March 7 DEQ info meeting, neighbors in East Columbia were quite clear to DEQ and the audience that many residents living there don't even own computers. They should not be penalized for it.

Please let us know if/when postcards about APES will be sent. How big is the distribution list? Is it the same as the ORRCO list? If not, how specifically does it differ? How were the boundaries of distribution determined?

And finally, is ORRCO responsible for the illegal PCBs leftover at APES facility that were not properly disposed of last Fall? Our understanding is that the PCBs are still there.

With multiple toxic issues this serious, the public, especially those with sensitive receptors, need info with which to make decisions.

Thanks for your help.

Dictated/Sent from iPhone by

Mary Lou Putman

206-551-3111

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, May 17, 2017 10:23 AM
To: 'ineke deruyter'
Subject: RE: Air polluters

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: ineke deruyter [mailto:ideruyter@hotmail.com]
Sent: Wednesday, May 17, 2017 9:30 AM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: Air polluters

To whom it may concern,

ORRCO and APES are one of the causes of severe air pollution in the Portland area. Until they "clean up their act" and comply with regulations 100% they do not qualify for any type of expansion in my opinion.

Please do not reward these polluters until they tow the line!
Public Health before Industry Wealth.

Thank you, Ineke Deruyter, Portland 97203.

Hila Ritter

From: ncharlton@comcast.net
Sent: Friday, April 28, 2017 12:33 PM
To: Solid Waste Information Compliance and Cleanup
Subject: ORRCO and APES renewal and expansion license/Permits.

I am a registered voter living on Hayden Island in a floating home moorage. I want to register LOUDLY my complaints against these two companies, OORCO and APES and protest even louder against their renewal and/or new permits for operation. We on Hayden Island are assaulted very frequently with the noxious and dangerous odors coming from these two companies. I personally have even be awakened in the middle of deep sleep (4:50 a.m. and thereabouts at other times) by the ODOR! It's stench is that remarkable and awful. You know as do I, what unhealthy and dangerous compounds are in these odors. PLEASE do not allow expansion of either facility until they comply with proper emissions controls! They have been out of compliance for years; You have not done your job! Do it now.

Nykolee Charlton
971-344-0121

Sent from [Mail](#) for Windows 10

Hila Ritter

From: Paul Slyman
Sent: Wednesday, May 17, 2017 1:31 PM
To: KMKane123@gmail.com
Cc: All Council-COO; Roy Brower; Hila Ritter; Warren Johnson; PES Core Managers
Subject: FW: deny permits to APES and ORRCO

Hello Ms. Kane,

Thank you for your comments regarding APES and ORRCO. Public comments help inform Metro's decision making process and can help identify special conditions that may be necessary to address public concerns, and minimize possible negative impacts on the surrounding community and environment.

It is important to note that Metro's regulatory scope at these two sites is specific to the activities of consolidating and reloading oily cleanup debris (booms, rags etc.). Other matters, such as air quality and the proposed expansion of APES, as described in your email, fall under the purview of the Oregon Department of Environmental Quality. While Metro's role at APES and ORRCO is limited, Metro is committed to continuing to ensure resource recovery and safe disposal of discards through the regulatory framework of solid waste licenses and franchises.

Metro will formally respond to comments received during the public notice period in a staff report that will be available online at www.oregonmetro.gov/solidwastepublicnotices on the APES and ORRCO pages, respectively.

Once again, thank you for taking the time to share your comments.

Sincerely,

Paul

Paul Slyman

Director

Property and Environmental Services

Metro | oregonmetro.gov

600 NE Grand Ave.

Portland, OR 97232-2736

503-797-1510

From: Kathryn Harrington
Sent: Sunday, May 14, 2017 5:06 PM
To: Karen Kane; Paul Slyman
Cc: Kathryn Harrington
Subject: RE: deny permits to APES and ORRCO

Hello Ms. Kane.

I believe that your email list had a typo for reaching Mr. Paul Slyman. I have added him to the To list of this email reply so that he will have the benefit of receiving it, and so you will know.

Regards,

Kathryn

Kathryn Harrington
Metro Councilor, District 4
503-797-1553
Kathryn.Harrington@oregonmetro.gov

www.oregonmetro.gov
Metro | Making a great place

Policy Coordinator, Ramona Perrault
Ramona.Perrault@oregonmetro.gov 503-797-1941

From: Karen Kane [<mailto:kmkane123@gmail.com>]
Sent: Sunday, May 14, 2017 5:03 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Cc: Tom Hughes <Tom.Hughes@oregonmetro.gov>; Kathryn Harrington <Kathryn.Harrington@oregonmetro.gov>; paul.sluman@oregonmetro.gov; Carlotta Collette <Carlotta.Collette@oregonmetro.gov>; sam.chase@oregonmetor.ogv; Bob Stacey <Bob.Stacey@oregonmetro.gov>; craig.dirksen@oregonmetor.gov; Shirley Craddick <Shirley.Craddick@oregonmetro.gov>
Subject: deny permits to APES and ORRCO

May 14, 2017

Metro
Solid Waste Information Compliance & Cleanup
600 NE Grand Ave,
Portland, OR 97232
swicc@oregonmetro.gov

RE: Public comment
American Petroleum Environmental Services, Inc. solid waste facility license
Oil Re-Refining Company, Inc. solid waste facility license renewal

To Metro Administrators,

It is difficult to calculate how much toxic air that local residents in North and Northeast Portland breathe on a daily basis. Diesel truck traffic, Portland International Raceway cars spewing exhaust and nearby industrial manufacturers on Swan Island all combine to pollute the air we breathe. Most of these polluters are hard to monitor except those required by DEQ and permitted for handling waste by Metro.

DEQ knows that the amount of poison emitted from APES and ORRCO, local businesses on Hayden Island that collect and refine oil for resale, are two of the worst offenders. In reprocessing used oil, these two companies emit more than 300 hazardous agents that threaten human health as well as the natural environment. Emission reports for these companies are continually not available to the public.

Metro intervened in the past to halt some of ORRCO's questionable practices because of inappropriate handling and storage of the used oil products they consolidate and reload. Please consider the policies and loopholes that allow these hazardous materials to be used in our neighborhood and transported through the Metro region.

We ask that Metro deny the expansion permit request by APES and the continued operation by ORRCCO until such time as these companies considerably improve their handling of used oil products. The mutual agreement between DEQ and APES for its expansion plans are flawed and need to include technological improvements that can be monitored as well as more detailed plans to store and transport this waste.

Please deny these permit requests from APES and ORCCO.

Sincerely,

Karen Kane
President
Bridgeton Neighborhood Association

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, April 26, 2017 11:54 AM
To: 'Sue Teso'
Subject: RE: American Petroleum Environmental Services APPLICATION

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

-----Original Message-----

From: Sue Teso [mailto:sueteso@gmail.com]
Sent: Tuesday, April 25, 2017 3:56 PM
To: Solid Waste Information Compliance and Cleanup
Subject: American Petroleum Environmental Services APPLICATION

Dear Hila
(SWICC@oregonmetro.gov)

Thank you in advance for listening to a citizen and resident of Hayden Island.

I understand that APES is submitting an application for a new license and we would urge you to deny that permit.

PLEASE!!! I have sat in meetings with the owner of this business and his lack of concern for his neighbors was very evident. When I asked how he could poison children and still sleep at night. (Explained for down in this letter). He just gave me a blank stare and a shrug of his shoulders. I witnessed both the children suffering and his response with my own eyes.

I have lived on Hayden Island for almost 3 years now and have been having to deal with the noxious, dangerous elements in the off-gassing from them.

We have tried to work within the system by asking DEQ to monitor them at the stacks - to no avail.

It appears as though the city of Portland has completely written off Hayden Island. I live in Portland because of the focus here on clean air, clean water, healthy living. Yet it seems to be all talk and no action. People have been getting sick, we have called and called when the air is affecting us and still no real action.

We have attended meetings been told to stay inside and close our windows when we smell the horrid odors. What about when we don't smell them? They are still there. I have watched on a particularly bad air day at Delta park, the children unable to catch their breath when playing sports. When it was reported to DEQ/EPA. We were told not to allow

our children to play at Delta Park Sports Complex. If that's the case, should you shut it down but allow ORRCCO and APES to continue to poison the air.

Please help us by not renewing this permit. We protest ORRCCO's permit request to process using their own contaminated fuel source because it's far dirtier than diesel and is the biggest reason we get off-gassed by poisons.

While I am pro-business, I am a business owner in Portland. I expect to be protected from these dangerous chemicals. I expect that a business in Portland cannot be allowed to poison and/or cause physical or mental injury to it's citizens.

Thank you,
Susan Teso
11666 N Island Cove lane
Portland OR 97217
971-2826898

Sent from my iPad

Sent from my iPad

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, April 19, 2017 10:21 AM
To: 'Melinda Head'
Subject: RE: APES AND OIL-are-refinery license renewals

Hello,

Thank you for your comment received in response to the license application for APES and ORRICO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

-----Original Message-----

From: Melinda Head [<mailto:melindahead1@gmail.com>]
Sent: Tuesday, April 18, 2017 2:53 PM
To: Solid Waste Information Compliance and Cleanup
Subject: APES AND OIL-are-refinery license renewals

This is in reference to the above Oil Re-Refineries off of Marine drive and across from Hayden Island. I retired almost 4 years ago and moved from California to Jantzen Beach Moorage. I moved to Oregon thinking it was a Green State and cared about the environment and its citizens. Over the entire time I have lived on Hayden Island we have been constantly bombarded by caustic gases from these two oil re-refineries. I retire after 44 years as both an ER nurse and a Critical Care Nurse and moved here in good health. I have had frequent respiratory problems and now a heart arrhythmia problem since moving across from these caustic gases. I can't walk my dog at times due to these gases which always come from the south direction. I am sure that if anyone from the state or city government had to deal with this they would demand that these businesses not be allowed in our communities. I am well aware that APES has been without a valid license for years but have been allows to continue. I am also aware that they need scrubbers and removed filtration systems when the new owner bought average years ago. The city and state need to do what is right for the communities that have to deal with the caustic pollution of these businesses. I ask you not to renew these licenses, do what is right.
Thank you
Melinda Head RN

Sent from my iPad

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, April 19, 2017 10:22 AM
To: 'chandra'
Subject: RE: APES and ORRCO

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

-----Original Message-----

From: chandra [<mailto:chandra.owl@gmail.com>]
Sent: Tuesday, April 18, 2017 7:10 PM
To: Solid Waste Information Compliance and Cleanup
Subject: APES and ORRCO

We understand that ORRCO is attempting to renew their permit and we insist you PLEASE deny that permit. We have lived on South Shore Road for 3 years now and have been having to deal with the obnoxious and dangerous elements in the off-gassing from them. We have tried to work within the system by asking DEQ to monitor them at the stacks - to no avail. It appears as though the city of Portland has completely written off East Columbia. We are lifelong Oregonians who have always believed in the focus on clean air, clean water, healthy living, etc, yet it seems to be all talk and no action. People have been getting sick, we have called and called when the air is affecting us and still - nothing. Please help us by NOT renewing this permit.

I have developed asthma symptoms and many of the elements listed in their off gassing have immediate and long term affects on my health, I can only imagine what this is doing to our daughter. We should not have to move out of state and face starting over, just to protect ourselves from companies that should not be permitted to do this, but that is the position we are in if ORRCO and APES are a priority over the health of this community. We can't afford to move, so we will stay and fight.

We protest ORRCO's permit request to process using their own contaminated fuel source bc it's far dirtier than diesel and is THE biggest reason we get off-gassed by poisons.

thank you for your time,

Chandra, Alin and Isabeau (age 3) Dragulin

Sent from my iPad

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Thursday, May 04, 2017 2:22 PM
To: 'Vicki'
Subject: RE: APES and ORRCO

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

-----Original Message-----

From: Vicki [mailto:novembercat@comcast.net]
Sent: Tuesday, May 02, 2017 10:07 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Cc: Mary Lou Putman <mlputman@pdxnhn.org>
Subject: APES and ORRCO

Dear Metro,

This is a comment from a resident of North Portland to let you know my disapproval of your granting APES and ORRCO permits for ANYTHING at all due to their lack of concern for public safety in operating in a fashion that has been inadequately investigated for health implications and risks. I know that you only handle garbage and not air quality, and that your responsibility lies only in the transportation of contaminated material. But the intention of my comment is to compel you NOT to grant any new permits to companies that act irresponsibly in this manner.

Vicki Simon
resident of North Portland

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 12, 2017 9:42 AM
To: 'Amy Poe'
Subject: RE: APES expansion permit

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Amy Poe [mailto:amy@wyckam.com]
Sent: Friday, May 12, 2017 7:08 AM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: APES expansion permit

Please do not grant this expansion license. APES has shown that they do not follow the regulations required of them, and do not care about their responsibility to clean up their messes and keep our soil, water and air clean. Portland already has a mess of a super-fund site that will likely never be properly taken care of, and we have some of the worst air quality in the nation. We do not need companies like APES contributing more to our pollution problems. The health of every NE Portland neighbor is at stake, including the health of mine and my children - who complain every day about the bad smell in the air, their throats feeling tight, and headaches they get. These complaints go away whenever we leave the area.

APES does not need to expand. They need to be shut down.

Amy Poe
10914 N Vancouver Ave
Portland, OR 97217
503-984-0679

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, May 17, 2017 4:53 PM
To: 'Ronna Craig'
Subject: RE: APES license renewal application

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Ronna Craig [mailto:ronna.craig@gmail.com]
Sent: Wednesday, May 17, 2017 2:49 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: APES license renewal application

Thank you for accepting public comments! I am a resident of North Portland, and I am writing on behalf of my husband, myself and our pets.

American Petroleum Environmental Services, Inc. submitted an application to Metro for a new solid waste facility license to consolidate and reload oily cleanup materials (such as oily rags, booms, absorbents, etc.). I am against issuance of this permit.

Owners of this facility have been allowed to continue operations without the legally mandated pollution control equipment for at least several years. This is directly contrary to the public interest. This is dangerous to public health and has harmed my health.

Several years of breathing dirty emissions from the re-refining processes taking place at APES has caused me to develop repeated chronic respiratory problems. I am awakened several times a year, when conditions are right to cause the cloud of emissions from the nearby burners to waft over *and into* my house. I wake to a strong odor of burning gasoline or oil. Never having suffered headaches in my life, I now have several per year which correspond to noticeable exposure.

I have lived in Kenton for nine years, and have been suffering the noxious, dangerous gas from the oil re-refinery.

Neighbors have requested monitoring and implementation of BACT (best available control technology), but so far there is no plan to either halt current control free emissions or require future BACT or stack monitoring. DEQ announced at a community meeting the re-refiner would be subject only to one-time

monitoring and required to submit (as fact) *estimates* of pollution levels extrapolated from faulty initial determinations.

My husband and I moved to Portland because of the focus here on clean air and water. We shed a car and began biking to work. When it comes to the big efforts on the part of government at all levels, though, action is minimal. I now have chronic sinus infections and trouble breathing at times. I am annoyed by the smell of burning oil day and night so much that some days I do not want to go outside. I have reported some of the recent more disturbing instances of smokey, smoggy air which I notice most often at night and on weekends when I'm around home for longer periods of time. I can smell the pollution inside the house now. The siding and windows are coated in a black or dark brown sooty grimy dust which I wash off every few months. We had a whole house air purification system when we moved into the house, but that has been broken for a few years.

Please help us by not granting this permit. It is not okay to permit use of dirty used contaminated fuel without either testing emissions or installing pollution controls adequate to reduce the level of dangerous chemical vapor and/or smoke.

For Max the dog, David, the chickens (who are especially vulnerable to respiratory irritants and must live outside), the rabbits, and myself, thank you for listening and doing what you can to prevent APES' major contribution to ongoing and sickening pollution levels.

Ronna Craig

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Monday, May 08, 2017 8:37 AM
To: 'Jane M. Terzis'
Subject: RE: APES Permit Application

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

-----Original Message-----

From: Jane M. Terzis [mailto:janeterzis@icloud.com]
Sent: Friday, May 05, 2017 8:17 AM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: APES Permit Application

I live in Cathedral Park, North Portland. On many days I can smell toxic fumes from my yard. Every time I drive near the APES facility on Marine Drive those fumes come into my car through closed windows. These fumes are attributable to APES' continued non-compliance with air quality regulations. They continue to demonstrate a disregard for the health of their neighbors - particularly for children - in North Portland. This company has repeatedly demonstrated their intention to continue to pollute Portland air unless they are forced into compliance with 24/7 on-stack monitoring and real consequences for violations. For some reason DEQ has not had the authority, or the interest, in ensuring compliance.

If a company cannot, or will not run a successful business without hurting people, they need to shut down.

The people running APES cannot be trusted with our right to breathe healthy air. I respectfully request that this permit not be granted and that this company shut down.

Jane Terzis

Sent from my iPad

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 19, 2017 5:03 PM
To: 'James Ryan'
Subject: RE: APES permitting

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: James Ryan [<mailto:jimryan1@gmail.com>]
Sent: Friday, May 19, 2017 4:57 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: APES permitting

As a resident of Jantzen Beach Moorage on Hayden Island, I have very strong opinions of the request by American Petroleum (APES) to renew their air discharge permit and to receive a new permit for solid waste disposal of oil filters, etc. on their site.

In addition to the air pollution coming from their site (the health impact of which is still debated) the additional issue of in-ground disposal of hazardous waste so near our beautiful river gives me pause.

It is time for this issue to be resolved. APES and businesses like it should never be allowed to operate so close to human habitation. They need to move. Denying these permit applications is a good place to start.

All the best,

James D. Ryan
1719 N Jantzen Ave.
Portland, OR 97217

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Tuesday, April 18, 2017 2:27 PM
To: 'Paul Hernandez'
Subject: RE: APES refinery

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Paul Hernandez [<mailto:pablohsf@gmail.com>]
Sent: Tuesday, April 18, 2017 1:55 PM
To: Solid Waste Information Compliance and Cleanup
Subject: APES refinery

I live at JBMI.

i am pro business, and truly believe in legacy businesses continued existence. however, the APES refinery can help be a good neighbor. i am officially adding my opinion and protest that they either abide by clean air requirements or be closed down.

Sincerely,
Paul Hernandez
2049 North Jantzen
97217

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 19, 2017 3:40 PM
To: 'Graham Perkins'
Subject: RE: Application by American Petroleum Environmental Services, Inc. (APES), for a new license to consolidate and re-load oily cleanup material

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Graham Perkins [mailto:graham.b.perkins@gmail.com]
Sent: Thursday, May 18, 2017 11:29 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Cc: Mlputman <mlputman@gmail.com>
Subject: Re: Application by American Petroleum Environmental Services, Inc. (APES), for a new license to consolidate and re-load oily cleanup material

As a resident of Hayden Island, I am writing to state my objection to the above application by APES.

Granting a license to American Petroleum Services, Inc., (APES) to expand their operation goes counter to Portland (Oregon) City Council's resolution No. 37168, passed in a unanimous vote, which opposed the expansion of fossil fuel infrastructure in the city and its adjacent waterways. This resolution (Binding City Policy BCP-ENN-10.02) was adopted by Portland (Oregon) City Council November 12, 2015.

Granting of this license would also play into APES' intentions to continue running their Force Avenue facility in flagrant violation of industry best practices, and on expired permits, while we, the ever-searching-for-breathable-air public must continue to suffer whenever APES' suffocating plume, a toxic freshly-prepared cocktail of VOCs, and potentially toxic dust, is blown our way by prevailing winds. A southerly wind brings this toxic soup to Hayden Island, resulting in residents trying to shelter indoors, and sometimes resulting in evacuation of Jantzen Beach Shopping Center stores who have more than once identified the stench as a gas leak. In addition, more than a few times residents of Hayden Island have awoken in the early morning to symptoms such as bleeding nose, respiratory distress, nausea, vomiting, loss of concentration, head aches, and panic attacks. These are not good things to have happen within Portland City limits, a city which perhaps in light of these reports, apparently does not take care of its citizens nearly as well as it would like to think it does.

APES' continued spewing of unfiltered and un-oxidized emissions caused by their unilateral removal of emission control equipment is an egregious offense to the health and wellbeing of the residents of North Portland. Any expansion would be in clear violation of BCP-ENN-10.02.

The only way to honor Portland's desire to become clean and Green is to start decreasing fossil fuel infrastructure, by at the very least denying permits for any new operations. That way we encourage these polluters to move on. Driven by a profit motive, rather than true concern for the environment, they will continue to operate the way that they have done and do if we permit them to do so, and if we continue making it economically feasible for them by following a relaxed

approach to rules and regulations. As soon as we prevent them from cutting corners in order to make a profit, they will go away. Please deny APES their current and any future expansion permit applications. However, we air-breathers of North Portland do not have the time to wait for that. Therefore, the time has come for the APES air pollution-causing facility to be moved well outside city limits or shutdown.

APES, and their "twin" Oil Re-Refining Company, Inc. (ORRCO) are the air pollution "elephants in the room" in North Portland. While they remain within Portland's air-shed, Portland cannot claim to be a leader in the restoration of urban environments to make them livable again, and North Portland's residents will continue to face serious polluted-air-induced health challenges.

Many industries in the Portland Metro area are operating under permits that admittedly allow a degree of harm to the resident population, albeit "regulated". In the cases of ORCCO and APES, the degree of "harm" which has occurred is far above what was intended by the relevant laws and regulations, and is far above what is nowadays acceptable. This has apparently resulted from insufficient and in many cases admitted non-existent enforcement of rules and regulations, including in some cases, operating on expired permits. As Portland has expanded over the years, the operative rule for polluting industries has been either "clean-up" or "shut-down". One polluting glass manufacturer in Portland recently chose to move way rather than clean-up.

I strongly urge you to reject this application.

Yours truly,

Graham Perkins

1907 N Jantzen Avenue, Portland OR 97217

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Tuesday, April 18, 2017 2:26 PM
To: 'ROBERT / SHER'
Subject: RE: Attn: Hila Ritter

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: ROBERT / SHER [mailto:indyshepps@comcast.net]
Sent: Tuesday, April 18, 2017 10:17 AM
To: Solid Waste Information Compliance and Cleanup
Subject: Attn: Hila Ritter

We understand that APES is attempting to renew their permit and we would urge you to PLEASE deny that permit. We have lived on Hayden Island for 10 years now and have been having to deal with the obnoxious and dangerous elements in the off-gassing from them. We have tried to work within the system by asking DEQ to monitor them at the stacks - to no avail. It appears as though the city of Portland has completely written off Hayden Island. We moved to Portland because of the focus here on clean air, clean water, healthy living, etc. YET it seems to be all talk and no action. People have been getting sick, we have called and called when the air is affecting us and still - nothing. Please help us by NOT renewing this permit.

thank you for your time,
Bob & Sher Shepps
indyshepps@comcast.net
503-247-1045

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Monday, April 24, 2017 2:45 PM
To: 'Andrea Seiffertt'
Subject: RE: Attn: Hila Ritter Re: American Petroleum's proposed solid waste cleanup facility

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Andrea Seiffertt [mailto:andeejo@gmail.com]
Sent: Monday, April 24, 2017 11:59 AM
To: Solid Waste Information Compliance and Cleanup
Subject: Attn: Hila Ritter Re: American Petroleum's proposed solid waste cleanup facility

To Hila Ritter, Solid Waste Authorization Coordinator:

I am writing to share my views on the proposed solid waste cleanup facility run by American Petroleum Environmental Services.

NE Portland already has two oil recycling companies, whose facilities have been generating malodorous toxic emissions, causing complaints from neighbors for years.

There has been no independent or even governmental scientific analysis of those emissions, of any runoff, and we don't know what the companies do with any waste or chemicals used.

NE Portland is vulnerable to river flooding, and putting further toxic waste facilities near wetlands and the river is unconscionable-- without at the very least an environmental impact analysis first to make the decision based on facts and real risk.

There may be alternatives that the companies could use that would reduce the impacts of their waste and recycling and emissions, but without an analysis we don't know.

Before permitting more toxic waste facilities, please require an independent environmental impact analysis and consider neighbor and citizen commentary and opinion.

Thank you.

Andrea Seiffertt, SouthEast Portland

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Monday, April 24, 2017 8:44 AM
To: 'Michelle Knight'
Subject: RE: Deny APES and ORRCO Permit Renewal until fuel source is clean

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Michelle Knight [mailto:mknight113071@gmail.com]
Sent: Sunday, April 23, 2017 6:06 PM
To: Solid Waste Information Compliance and Cleanup
Subject: Deny APES and ORRCO Permit Renewal until fuel source is clean

Dear Hila Ritter:

Picture yourself, at home, about to turn into sleep. You talked with some of your neighbors and cannot wait for the first brood of ducklings to come out on the river. LIFE seems perfect. Sure, your husband has had headaches that come and go occasionally, but you think nothing of it. You read that the US EPA are investigating two companies polluting your home, ORRCO and APES. They are across the river storing PCB contaminated liquids on site. Moreover, ORRCO is under question about fines for various hazardous waste violations. Within the next weeks or years, you may be at risk for cancer, perhaps making any possibility of retirement very short. Of course, you would want to do something to stop the pollution and off-gassing.

You and your PDX North Neighbors work within the system, asking DEQ to monitor the stacks. But this is to no avail. APES and ORRCO generate profits the city needs. Portland, an "environmentally conscious city", turns a blind eye. Then you hear that APES and ORRCO want to renew their license. Portland Metro asks for comments. What would you as you are living with pollution that is far worse than normal diesel?

While I believe in business and the free market, I believe that any business that uses public air and neighborhood environments, is accountable to the public and people that live there. Period. I believe in profit and am a consumer supporting local Portland businesses, such as Powell's Book store, Stumptown Coffee, and

New Seasons Market. If these entities were to threaten public health and safety, like ORRCO and APES has done, then I would not support the business. It would be challenging, maybe painful, and require changing some habits. But, I stand by that principle with action. Companies such as ORRCO and APES, who engage in polluting public areas and threatening health, should not have their permits renewed until they and the public can be ensured of safe processing of hazardous materials.

I would do what you would do if you were in my shoes. I would ask that ORRCO's permit renewal be denied until we can be protected from these dangerous chemicals.

Sincerely,

Michelle Knight

1923 N. Jantzen Ave

Portland, OR 97217

Michelle Knight

(503) 345-4350

(971) 998-9084

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 12, 2017 3:38 PM
To: 'Scott Niesen'
Subject: RE: Deny APES Expansion Permit

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Scott Niesen [mailto:scottniesen@gmail.com]
Sent: Friday, May 12, 2017 2:01 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: Deny APES Expansion Permit

Hila Ritter, Solid Waste Authorization Coordinator.

I have lived in the Bridgeton neighborhood for 13 years. We have experienced toxic emissions from American Petroleum Environmental Services since we moved here in 2004. The company has continuously failed to take responsibility for the toxins they pump into the air and for the irresponsible storage of dangerous materials including illegal PCBs at their facility.

The owners and managers of APES have continuously shirked responsibility and thwarted efforts to filter pollutants by illegally removing emission control devices. They are bad hombres who need to be held accountable for their actions.

I realize that air quality is the purview of DEQ and the EPA. Metro does have purview over the handling and storage of toxic materials. Use this to do the right thing and deny the permit for expansion until they prove themselves to be responsible business owners.

Thank you.

Scott Niesen
205 N. Bridgeton Rd.
Slip 7
Portland, OR 97217

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, May 10, 2017 2:43 PM
To: 'Michelle Knight'
Subject: RE: Deny APES permit renewal

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

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600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Michelle Knight [mailto:mknight113071@gmail.com]
Sent: Tuesday, May 09, 2017 7:21 AM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: Deny APES permit renewal

Thank you in advance for listening to a citizen and resident of Hayden Island.

I understand that APES is attempting to renew their permit and we would urge you to deny that permit.

I have lived on Hayden Island for several years now and have been having to deal with the noxious, dangerous elements in the off-gassing from them.

We have tried to work within the system by asking DEQ to monitor them at the stacks - to no avail.

It appears as though the city of Portland has completely written off Hayden Island. I live in Portland because of the focus here on clean air, clean water, healthy living. Yet it seems to be all talk and no action. People have been getting sick, we have called and called when the air is affecting us and still no real action.

Please help us by not renewing this permit. We protest APES' permit request to process using their own contaminated fuel source because it's far dirtier than diesel and is the biggest reason we get off-gassed by poisons.

While I am pro-business, I expect to be protected from these dangerous chemicals.

Thank you,

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Thursday, May 04, 2017 2:21 PM
To: 'JB Young'
Subject: RE: Hila Ritter APES permit non-renewal

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: JB Young [mailto:jbeyoung@gmail.com]
Sent: Monday, May 01, 2017 4:09 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: Hila Ritter APES permit non-renewal

APES is a major, non-mobile contributor of diesel emissions. This poisoning of Portland's citizens for profit needs to end now. Do not renew the permit to operate. Clearly the exhaust and off gassing exceeds its boundaries and toxic gas is allowed to permeate far beyond its stated industrial use permitted boundaries. Allowing them to continue operating out of hand or lax past practices is to end, now.

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 19, 2017 3:41 PM
To: 'Deborah Solheim'
Subject: RE: North Portland, Portland, Hayden Island air pollution issues

Hello,

Thank you for your comment received in response to the license application for APES and ORRCCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Deborah Solheim [mailto:deborahsolheim@gmail.com]
Sent: Friday, May 19, 2017 10:06 AM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: North Portland, Portland, Hayden Island air pollution issues

Regarding APES and ORCCO refineries, the lack of response from Metro and other agencies regarding complaints and violations is infuriating and unacceptable. I implore Metro to use your authority and work with other agencies to ensure common decency and protect precious resources, air and water.

Deborah Solheim
9217 N Berkeley Av
Portland OR 97203

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 19, 2017 4:41 PM
To: 'courtney hamilton'
Subject: RE: ORRCO and APES public comment

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: courtney hamilton [mailto:courtham1987@gmail.com]
Sent: Friday, May 19, 2017 4:30 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: ORRCO and APES public comment

As a Hayden Island resident and a breather of air (preferably clean), I am urging you to deny the permit renewal for Oil Re-Refining Company, Inc. and the permit expansion for American Petroleum Environmental Services, Inc.

Oregon is supposed to be a leader in environmental policy. In November 2015 the city council passed Resolution No. 37168 prohibiting new fossil fuel infrastructure in Portland. Approving these permits is a step in the wrong direction for our city. Their continued operation with no emission controls has put the health of Portland citizens at great risk for years now. They must be shut down if they do not comply with our demands: 24/7 stack monitoring, emission controls, containment berms for tanks farms, and Title V permits requirement.

Respectfully,

Courtney Hamilton
Portland, OR 97217

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, May 17, 2017 4:52 PM
To: 'Cheri Calvert'
Subject: RE: ORRCO and APES

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Cheri Calvert [mailto:cheri@chericalvert.com]
Sent: Wednesday, May 17, 2017 11:12 AM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: ORRCO and APES

For the record, I don't want ANY expansion at ORRCO or APES. They didn't comply with regulations in the past and are not to be trusted. Metro solid and hazardous waste is intertwined with air quality, so until THAT is fixed, NO expansion should be allowed!

--

Cheri Calvert
"Fine Design, Online, On Time!"

Web Developer
www.CheriCalvert.com
208.755.2276 - Idaho
253.448.3755 - Washington & Oregon

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 19, 2017 4:52 PM
To: 'Cheryl Baker'
Subject: RE: Please DENY the application for a new license by American Petroleum Environmental Services, Inc. (APES)

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Cheryl Baker [mailto:cheryl.baker97217@gmail.com]
Sent: Friday, May 19, 2017 4:43 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: Please DENY the application for a new license by American Petroleum Environmental Services, Inc. (APES)

To whom it may concern:

APES' has continued to release foul emissions in spite of our repeated attempts to report the situation to EPA and DEQ. After APES illegally removed their emission control equipment, I have been shocked that this action was allowed to stand and that no official effort was made to require them to reinstall this required piece of equipment. The health of the residents of North Portland is being directly impacted. Personally, I have suffered headaches, sore throats, and a chronic cough from these emissions.

This owner of this has company claimed to be "an environmentalist", yet he has demonstrated that he is anything but. Portland officials need to protect its citizens from this type of flagrant negligence, disregard for the industry's 'best practices', and disregard for our citizen's health.

The city of Portland has already shown it's desire to stop increasing our fossil fuel infrastructure; construction and expansion of a toxic industry that is making our neighbors sick needs to be stopped. APES has violated their previous permits and I have no doubt that they will continue to violate any future permits that they may be issued. Please deny APES their current application and any future expansion permit applications. This facility needs to be shut down.

The toxic air pollution that has been allowed to continue in North Portland is shameful. APES, and their "twin" Oil Refining Company, Inc. (ORRCO) are both to blame. If they are allowed to continue to operate, North Portland residents will continue to face significant health effects. How can Portland claim to be concerned about environmental issues within the city if this situation is allowed to stand??

As you make this important decision on this new license application, and in all future such cases, please consider the potential ramifications on your neighbors, on your air and water, and on your own health.

We are relying on you.

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Monday, May 08, 2017 8:38 AM
To: 'Teri Loporchio - WCS'
Subject: RE: Public Comment | APES and ORRCO DEQ Permits

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Teri Loporchio - WCS [mailto:teri.loporchio@gmail.com]
Sent: Thursday, May 04, 2017 10:30 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: Public Comment | APES and ORRCO DEQ Permits

I moved to North Portland just two years ago and began smelling the horrid natural gas and petroleum smell almost immediately. I'm not typically a complainer, but after being awakened many times in just a few weeks at or around 3:30 a.m. with horrible coughing fits, gagging and a severe headache I started filing complaints with DEQ.

After attending several meetings with ORRCO and APES in attendance, I could see there was clearly no remorse or feeling of wrong doing. Therefore, I would like to see both plants shut down. These plants have manipulated the DEQ system and I don't believe they are the kind of companies that we want anywhere in Oregon. They have no respect for our natural resources, clean air or the people in their community.

Last night at about 8:45 PM, I went to bring my dogs in and when I opened the door the odor truly almost knocked me over. Within 2-3 minutes, I had the headache that has become all too familiar as well as the coughing fits. I would think that these two companies would be on their best behavior, but as I experienced they are far from it. I filed another complaint and had to wait well over an hour to take the dogs for their final evening walk because I was truly afraid to go outside because of the air quality.

I've heard two stories indicating that either DEQ didn't put measures in place to sufficiently manage the permitting process and/or that the public didn't voice an opinion during the last permitting process and therefore the last permits for these two organizations were put in place without proper

vetting. Seriously, what is DEQ's job if it isn't to protect the public. It was also reported that DEQ did not discover that equipment had been **illegally removed** until they performed an onsite inspection in 2011, but **because of another oversight DEQ never prosecuted the violation.**

What confidence does this give me or the community that these two plants will operate in any kind of good faith. I think they should be shut down. DEQ has already proven that they can't manage them and ORRCO and APES have also proven that they don't care what the rules are, they will break, bend and get around them anyway that they can.

Let me state my position clearly – **GET ORRCO AND APES OUT OF OREGON AND DO NOT RENEW THEIR PERMIT!!!!**

I am only one voice. I doubt if I'll have much real influence on the outcome and for that reason alone, I believe I need to also clearly state my expectations if they are allowed to stay:

1. Monitoring by a 3rd party of all material coming into the plant before incineration or disposal processes begin. Detailed reports of those materials must be available for public review online. We should be able to review them by date, time of disposal, materials, etc. so that at a minimum we will know what we are breathing. **We have a right to know!**
2. **Electronic monitoring at the stack – No EXCEPTIONS 24x7** – Again these detailed records should be made available online because we have a right to know.
3. For each violation (because they will have them) **significant fines (\$50,000 – \$100,000) should be mandatory, no excuses.** They should also be required to perform some sort of community service such a major tree plantings or other restorative actions in addition to the fines. It has to be implemented in such a way that it is more cost effective to play by the rules then to scam the community and DEQ as they have in the past.

One more thing before I close --- for some reason this has stuck in my head and I need to get it out on the table. One thing that was clear at the last meeting was the shock that Nina (can't remember her last name) had when the woman who runs the neighborhood school talked about the special ed. students at her school who come from all over the city so they can attend her classes. She also mentioned that she continued to call NW Natural Gas because when she would smell the odor, she thought it was a gas leak.

I remember Nina taking copious notes because these children were at risk to begin with and she seemed very concerned about the impact on them. I'm not saying she shouldn't be concerned, but it was as if their lives mattered more than my husband's, my son's or my beautiful dogs or my neighbors who are in their 70's or even the homeless living at Delta Park for that matter. **All lives matter, human, animal, children, pets, fish** – it all matters the same. When you make this decision, think about the people you love more than anything. Would you allow a lawless organization such as APES and ORRCO to operate a plant in your family's neighborhood? If you haven't experienced it, maybe you would, but trust me – it would be a huge mistake.

Thank you.

Teri Loporchio

971.235.4687

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Thursday, May 04, 2017 2:23 PM
To: 'Cheryl Myers'
Subject: RE: public comment - APES/ORRCO

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Cheryl Myers [mailto:oregon.myers@gmail.com]
Sent: Wednesday, May 03, 2017 7:14 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Cc: mlputman@gmail.com
Subject: public comment - APES/ORRCO

We recently attended a DEQ meeting regarding APES/ORRCO's request to expand their operations.

It was shocking to learn due to odd timing and ownership changes that a business out of compliance not only continues to operate utilizing extended permits, but have the audacity to apply to expand operations.

Please do NOT approve an expansion and protect our public health and environment by pulling the existing permits until full compliance is achieved, **and** the appropriate full/adequate monitoring controls are in place before allowing operations to resume.

Cheryl and Jim Myers
Hayden Island (Island Cove) residents
(503) 519-9690

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Thursday, May 18, 2017 4:10 PM
To: 'Alastair (AJ) Roxburgh'
Subject: RE: Public Comment regarding APES new license application for 11535 N. Force Avenue, Portland, Oregon

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Alastair (AJ) Roxburgh [mailto:blackett.dirac@gmail.com]
Sent: Thursday, May 18, 2017 10:39 AM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: Public Comment regarding APES new license application for 11535 N. Force Avenue, Portland, Oregon

**Re: Application by American Petroleum Environmental Services, Inc. (APES),
for a new license to consolidate and re-load oily cleanup material**

Granting a license to American Petroleum Services, Inc., (APES) to expand their operation goes counter to Portland (Oregon) City Council's resolution No. 37168, passed in a unanimous vote, which opposed the expansion of fossil fuel infrastructure in the city and its adjacent waterways. This resolution (Binding City Policy BCP-ENN-10.02) was adopted by Portland (Oregon) City Council November 12, 2015.

Granting of this license would also play into APES' intentions to continue running their Force Avenue facility in flagrant violation of industry best practices, and on expired permits, while we, the ever-searching-for-breathable-air public must continue to suffer whenever APES' suffocating plume, a toxic freshly-prepared cocktail of VOCs, and potentially toxic dust, is blown our way by prevailing winds. A southerly wind brings this toxic soup to Hayden Island, resulting in residents trying to shelter indoors, and sometimes resulting in evacuation of Jantzen Beach Shopping Center stores who have more than once identified the stench as a gas leak. In addition, more than a few times residents of Hayden Island have awoken in the early morning to symptoms such as bleeding nose, respiratory distress, nausea, vomiting, loss of concentration, head aches, and panic attacks. These are not good things to have happen within Portland City limits, a city which perhaps in light of these reports, apparently does not take care of its citizens nearly as well as it would like to think it does.

APES' continued spewing of unfiltered and un-oxidized emissions caused by their unilateral removal of emission control equipment is an egregious offense to the health and wellbeing of the residents of North Portland. Mike Mazza of APES (same person as Mike Mazza of previous company, American Recycler, that operated the same facility, and soon to be Mike Mazza of Clear Lube?) wants to expand his business using an untested technology for sulfur removal. Any expansion would be in clear violation of BCP-ENN-10.02.

Moreover, given that APES has been unable to run a closed system, or even revert back to their previously somewhat closed configuration, and despite their huge volume of lip-service to the concept, and because national oil production has peaked at levels far above our national needs, the economic driving force for the re-refining of oil products has arguably largely disappeared, and would, I believe, completely disappear, if the cost of effective emission control, and the cost to the community of consequent medical care were taken into account.

Better for the health of the planet and its citizens, that spent oil is returned to the oil fields from whence it came, rather than have a significant portion of the fraction that is not wanted, sent "away" by spewing it into the air for all to breathe, causing ill health and who knows how many asthmas, heart problems, and cancers. Our overcrowded planet is now more finite than ever, and there *is* no away any more. There actually never has been an "away", but just a delay while we continued to pollute our eco-system to the limit of what it was able to absorb, and this limit is something that the planet is now experiencing on a global scale. To illustrate, I read in the news today that an estimated 37 million pieces of plastic litter (created by the fossil fuel industry) have been found on one of the world's *remotest* islands, uninhabited and 5,000 km from the nearest major population center.

The only way to honor Portland's desire to become clean and Green is to start decreasing fossil fuel infrastructure; by at the very least denying permits for any new operations. That way we encourage these polluters to move on. Driven by a profit motive, rather than true concern for the environment, they will continue to operate the way that they have done and do if we permit them to do so, and if we continue making it economically feasible for them by following a relaxed approach to rules and regulations. As soon as we prevent them from cutting corners in order to make a profit, they will go away. Please deny APES their current and any future expansion permit applications. However, we air-breathers of North Portland do not have the time to wait for that. Therefore, the time has come for the APES air pollution-causing facility to be moved well outside city limits or shutdown.

APES, and their "twin" Oil Re-Refining Company, Inc. (ORRCO) are the air pollution "elephants in the room" in North Portland. While they remain within Portland's air-shed, Portland cannot claim to be a leader in the restoration of urban environments to make them livable again, and North Portland's residents will continue to face serious polluted-air-induced health challenges.

Many industries in the Portland Metro area are operating under permits that admittedly allow a degree of harm to the resident population, albeit "regulated". In the cases of ORCCO and APES, the degree of "harm" which has occurred is far above what was intended by the relevant laws and regulations, and is far above what is nowadays acceptable. This has apparently resulted from insufficient and in many cases admitted non-existent enforcement of rules and regulations, including in some cases, operating on expired permits. As Portland has expanded over the years, the operative rule for polluting industries has been either "clean-up" or "shut-down". One polluting glass manufacturer in Portland recently chose to move way rather than clean-up.

Therefore, in whatever you decide, on this new license application, and in all future such cases, please consider the potential ramifications on all levels, including air and water quality, and also the burden of enforcement, and resources to ensure that happens.

Alastair Roxburgh
1503 N Hayden Island Drive
Portland, Oregon.
Co-founder of NW Citizen Science Initiative (NWSCI)
Board Member Hayden Island Livability Project

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Thursday, April 13, 2017 4:48 PM
To: 'Vicki'
Subject: RE: Public notice: American Petroleum Environmental Services and Oil Re-Refining Company

Thank you for your comment received in response to the license application for APES. Metro will respond to comments after the close of the public comment period. We spoke on the phone this afternoon and you stated that you will be redacting your request to the neighborhood association to have me come and speak because of Metro's limited scope at these facilities. Please let me know if you have any further questions, and feel free to submit any comments you may have.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Vicki [<mailto:novembercat@comcast.net>]
Sent: Thursday, April 13, 2017 10:56 AM
To: Solid Waste Information Compliance and Cleanup
Subject: Re: Public notice: American Petroleum Environmental Services and Oil Re-Refining Company

Hila,

I am a resident of North Portland and have concerns about these businesses and how they impact our neighborhood. I would like to know more about "the scope of Metro's role and authority at these facilities" and have asked our neighborhood association to have you come speak at the May meeting. Please respond via email and I will also try to call you.

Vicki Simon

On Apr 13, 2017, at 10:33 AM, Solid Waste Information Compliance and Cleanup
<SWICC@oregonmetro.gov> wrote:

the scope of Metro's role and authority at these facilities

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, April 26, 2017 11:55 AM
To: 'Stuart Goldstien'
Subject: RE: Response to Public Notice

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Stuart Goldstien [mailto:stuartgoldstien1@gmail.com]
Sent: Tuesday, April 25, 2017 5:41 PM
To: Solid Waste Information Compliance and Cleanup
Subject: Response to Public Notice

I have been living in the floating home community at Jantzen Beach for over two years. In the 2 years I've been here, I have been subjected to the toxic fumes from the petroleum reprocessing plant on several occasions. How would you like to live in a place where on a nice day you cannot even open your door because the air smells worse than a gas station. I know several people living in my neighborhood who have been awakened and have experienced nose bleeds, coughing and other ill effects from the toxic odors. These industries must be removed from our neighborhood and relocated in an area that does not impact its residents. Please do not renew licenses to these type of businesses located in residential areas. If you lived here, I'm sure you would support the removal of these businesses. I know people who are moving out of the area because of this. This can't be right. Please shut down these polluters of our precious environment.

Thanks.....

Stuart Goldstien
1959 N. Jantzen Ave.
Portland, OR 97217
503-964-3064

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, May 10, 2017 2:42 PM
To: 'H & R WALDROP'
Subject: RE: stop APES and ORCCO !!!!!!!!!!!!!

Hello,

Thank you for your comment received in response to the license application for APES and ORCCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: H & R WALDROP [mailto:hrrmmtpleas@bellsouth.net]
Sent: Monday, May 08, 2017 7:37 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Cc: Mary Lou Putman <mputman@pdxnhn.org>
Subject: stop APES and ORCCO !!!!!!!!!!!!!

As new homeowners on Hayden Island, we have noticed the unacceptable air quality are supporting the dedicated citizens who are trying to correct the situation. DON'T IGNORE the people of North Portland and Vancouver as you have for the past decade !! There is no longer a question of the source of the problem. The question is now, why is the problem being allowed to persist. Thousands of residents' health is at risk and you have the power to stop the pollution of our air from these re-refineries. Please shut these companies down until they are held accountable. We need independent testing of all establishments in the oil business. Curious that Oregon is known as being ecologically in the forefront, but we don't correct the loopholes that allow oil refineries to contaminate our air. Did not think this would even be an issue here. Thank you.

Harold Waldrop

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Thursday, May 04, 2017 2:23 PM
To: 'Jimme' Peters'
Subject: RE: Toxic air on Marine Drive and Hayden Island

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Jimme' Peters [mailto:Jimme_Peters@msn.com]
Sent: Wednesday, May 03, 2017 9:50 AM
To: Bivins.louis@deq.state.or.us; Whitman.richard@deq.state.or.us; Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>; Sen.MichaelDembrow@oregonlegislature.gov; Sen.LewFrederick@oregonlegislature.gov; Rep.tinakotek@state.or.us; kate.brown@oregon.gov
Subject: Toxic air on Marine Drive and Hayden Island

Dear Esteemed Officials—

As a 19 year resident of Hayden Island, living on the slough side in a floating home, I have seen a great deal of change over the years. Some positive and some negative. I am writing about a serious issue that keeps lingering and now there are more permits being considered that will worsen the situation.

The air quality in the last couple of years has deteriorated significantly. There are days that I walk outside my home to go to work and the smell is nauseating and causes me to gasp for air. At night, I see the oil refineries across on Marine Drive burning their stacks and the orange smoke that results. How can this be legal, let alone safe. Should we have to wear gas masks to protect ourselves? I thought Oregon was green and safe and part of a nation that protects its citizens? One's chest should not burn and the smell should not make us nauseous in the open air of society in a first world country let alone state that is graced with foliage and trees.

This must stop immediately. Whatever laws have lapsed or been looked past by DEQ, EPA and others must be enforced. The idea of approving two more permits that will further endanger us is shameful. The long term effects on our health and communities could be lethal. Agent Orange and asbestos are just two similar inhaled poisons and we know the outcome of such toxins on humans. It is not pretty!

Enough with the studies, excuses, denials and hearings. Please take action now to preserve our people and health.

Hila Ritter

From: BIVINS Louis <louis.bivins@state.or.us>
Sent: Thursday, May 11, 2017 1:13 PM
To: 'Jimme' Peters'; kate.brown@oregon.gov; ORMAN Michael; DECONCINI Nina; REP Kotek; WHITMAN Richard; Sen.LewFrederick@oregonlegislature.gov; Sen.MichaelDembrow@oregonlegislature.gov; Solid Waste Information Compliance and Cleanup
Subject: RE: Toxic air on Marine Drive and Hayden Island

Dear Jimme',

Thank you for contacting DEQ with your concerns about the odors and emissions from the two used oil re-refineries, American Petroleum Environmental Services, Inc. (APES) and Oil Re-Refining Co. (ORRCO), located south of the Columbia River in north Portland. DEQ continues working with both facilities to install and implement additional control technologies and operating requirements to minimize pollutant emissions into the air.

Should you experience odors in the future, we encourage you to visit DEQ's online complaint system to file a formal complaint, which will be recorded in the complaint database and accessed for future inspection and investigatory purposes. The link to DEQ's [online complaint system](http://www.deq.state.or.us/complaints/dcomplaint.aspx) is available by visiting: <http://www.deq.state.or.us/complaints/dcomplaint.aspx>.

DEQ entered into a Mutual Agreement and Final Order (MAO) with APES to install a natural gas thermal oxidizer (TO) to minimize volatile organic compound (VOC) emissions. The MAO is an enforceable document with strict deadlines APES must comply with to maintain compliance with their air permit and MAO, or they may be subject to penalties and enforcement action from DEQ's Office of Compliance and Enforcement. All emission points at the facility will be routed to the 1600 degree F combustion chamber of the TO, destroying 97% of VOC emissions and minimizing odors. Once installed and operational, DEQ requires APES to source test the unit to verify the TO is operating at the stated efficiency and temperature. If the TO control efficiency is less than 97%, DEQ will require APES to install additional controls to comply with the MAO requirements.

DEQ is also working to modify ORRCO's air permit to replace the current VOC capture system, known as a Bubble Condenser, with more efficient tube and shell condensers. The tube and shell condensers capture water vapors and light end fuel products and condenses them back into a liquid. The fuel recovered from the condenser is burned onsite to power ORRCO's refining process and the water recovered is processed on site in ORRCO's wastewater treatment system.

In addition to the new tube and shell condensers, ORRCO's permit renewal application requests modification to install and operate a TO to control VOC emissions and minimize odors emitted from the facility. The conditions of the MAO will be incorporated into ORRCO's renewed air quality permit as enforceable permit conditions.

DEQ has scheduled a public informational meeting on Monday, June 5, from 6:00 – 8:30 pm at the Red Lion Hotel located at 909 N. Hayden Island Drive, Portland, to discuss ORRCO's permit renewal and modification application and receive citizen input on the submittal. DEQ is not accepting formal comments at the meeting, but will consider all comments and statements when renewing and modifying ORRCO's operating permit.

For additional information on DEQ's involvement and actions regarding the emissions and odors from APES and ORRCO, please visit DEQ's webpage, titled: [Portland North Harbor Air Quality](http://www.oregon.gov/deq/Programs/Pages/NP-Odor-Investigation.aspx), or by visiting: <http://www.oregon.gov/deq/Programs/Pages/NP-Odor-Investigation.aspx>

Thank you again for contacting DEQ with your concerns, please continue to file complaints with DEQ's complaint system as this information is invaluable to identifying potential emission issues.



Louis Bivins, Permit Engineer
Air Quality Permits & Compliance
Oregon Dept of Environmental Quality
700 NE Multnomah St STE 600
Portland, OR 97232

503-229-6333 office
503-229-6945 fax

From: Jimme' Peters [mailto:Jimme_Peters@msn.com]
Sent: Wednesday, May 03, 2017 9:50 AM
To: BIVINS Louis ; WHITMAN Richard ; SWICC@oregonmetro.gov; Sen.MichaelDembrow@oregonlegislature.gov;
Sen.LewFrederick@oregonlegislature.gov; REP Kotek ; kate.brown@oregon.gov
Subject: Toxic air on Marine Drive and Hayden Island

Dear Esteemed Officials—

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Enough with the studies, excuses, denials and hearings. Please take action now to preserve our people and health.

Thank you,

Jimme' Peters
2630 N Hayden Island Drive
Portland OR 97217
503.816.0500

Hila Ritter

From: ncharlton@comcast.net
Sent: Friday, April 28, 2017 12:31 PM
To: Solid Waste Information Compliance and Cleanup
Subject: regarding current PUBLIC COMMENT for ORRCO and APES solid waste permit requests:

I am a registered voter living on Hayden Island in a floating home moorage. I want to register LOUDLY my complaints against these two companies, OORCO and APES and protest even louder against their renewal and/or new permits for operation. We on Hayden Island are assaulted very frequently with the noxious and dangerous odors coming from these two companies. I personally have even be awakened in the middle of deep sleep (4:50 a.m. and there abouts at other times) by the ODOR! It's stench is that remarkable and awful. You know as do I, what unhealthy and dangerous compounds are in these odors. PLEASE do not allow expansion of either facility until they comply with proper emissions controls! They have been out of compliance for years; You have not done your job! Do it now.

Nykolee Charlton
971-344-0121

Sent from [Mail](#) for Windows 10